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## LIFE

OF

THE RIGHT HON. SIR JAMES MACKINTOSH.

### CHAPTER I.

Birth—Parentage—Goes to school at Fortrose—Early studies—Parts from his mother—College at Aberdeen—Robert Hall—Takes the degree M. A.—Arrival at Edinburgh—Notices of eminent men—Medical studies—"Brunonianism"—Becomes a member of the speculative, medical, and physical societies—Essays—Desultory pursuits—Thesis—Diploma—Leaves Edinburgh.

"I was born at Aldourie, on the banks of Loch Ness, within seven miles of the town of Inverness, in Scotland, on the 24th of October, 1765. My father,\* Captain John Mackintosh, was the representative of a family which had for above two centuries possessed a small estate called Kellachie, which I inherited from him, and which I was obliged to sell. He had served four and twenty years in the army, into which he entered very young. He was very severely wounded at the battle of Fellinghausen, in the seven years' war; and his last place of service was Gibraltar, where he was during the whole siege. My mother was Marjory Macgillivray, the daughter of Mr. Alexander Macgillivray, by Anne Fraser, sister of Brigadier General Fraser, who was killed in General Burgoyne's army, in 1777; aunt to Dr. Fraser, physician in London; and to Mrs. Fraser Tytler, wife of Lord Woodhouselee, now (1805) a judge of the Court of Session in Scotland.

"My father joined his regiment at Antigua soon after my birth, and continued at that island, and at Dublin, for eight or nine years. I was reared with great care and tenderness by my mother, who lived with her mother and sisters at a small house called Clune. I can now,† at the distance of twenty years, and fifteen thousand miles, call before me with great distinctness, the prospect from the window of our little parlour, of the lake with its uninterrupted expanse of twenty-four miles, and its walls of perpendicular wooded rock; the road that leads down to the cottage, all its windings, all the smallest objects on each side of it; the little path where we walked "down the burn," and the turf seat where we rested, are more present to my fancy than any other objects in nature. My mother was not happy. My father, a subaltern and younger brother, found his pay not too much for his own

expenses, and all the kindness of her family did not deliver her mind from the feeling of dependence. This, perhaps, contributed to the extreme affection which she felt for me. There is nothing which so much lightens the burden of receiving benefits as the pleasure of conferring them. I alone depended on her. She loved me with that fondness which we are naturally disposed to cherish for the companion of our poverty. The only infant in a family of several women, they rivalled each other in kindness and indulgence towards me, and I think I can at this day discover in my character many of the effects of this early education.

"In the summer of 1775, I was sent to school at a small town called Fortrose, under a master named Smith, who, if I may trust my recollection, was not wanting in abilities. Nearly thirty years after, in the autumn of 1804, I met his youngest son, a captain in the Bombay artillery, and I experienced on that, as on several other occasions, that no idea of our youth can be uninteresting, when it is revived after long oblivion. I have little recollection of the first two years at school. An usher of the school, one Duncan, who boarded in the same house with me, was suspected of some heretical opinions. The boarding mistress, who was very pious and orthodox, rebuked him with great sharpness; and I remember her reporting her own speech to her husband, and the other boarders, with an air of no little exultation. I have a faint remembrance of the usher even quoting the Savoyard creed, and having heard of Clark's Scripture doctrine of the Trinity. This infant heresy was soon silenced by the emigration of the poor usher to Jamaica, where I believe he soon after died. I rather think it contributed to make my mind free and inquisitive. Theological controversy has been the general inducement of individuals and nations to engage in metaphysical speculation. It was at least the circumstance which directed my curiosity towards those objects, which have vainly exercised it during my subsequent life. I was frequently and kindly entertained at the house of Mr. Mackenzie, of Suddie, an old gentleman who, with some of the peculiarities of a humorist, was not without some curiosity and knowledge. He had a tolerable collection of books. Genealogy was, indeed, his favourite science. But his passion for genealogy led him to explore Scotch history, especially that of the seventeenth century, in which his own ancestors had been actors. He was naturally led to theology, the cause, or the pretext of almost all the memorable events of that age. He was very fond of Burnet's History, which I still think a very agreeable book of memoirs, though it be always necessary to keep in mind that it is the work of a zealous and credulous partisan. He lent Burnet's Commentary on the Thirty-nine Articles to me, and I have now a distinct recollection of the great impression which it made. I read with peculiar eagerness and pleasure the commentary on the seventeenth article,—that which regards Predestination; and I remember Mr. Mackenzie's pointing out to me, that though the Bishop abstained from giving his own opinion on that subject in the Commentary, he had intimated that opinion not obscurely in the Preface, when he says, that "he was of the opinion of the Greek Church, from which St. Austin departed." I was so profoundly ignorant of what the Greek Church was, and what St. Austin's deviations were, that the mysterious magnificence of this phrase had an extraordinary effect on my imagination. My boarding mistress, the schoolmaster, and the parson, were orthodox Calvinists. I became a warm advocate for free will, and before I was fourteen I was probably the boldest heretic in the county. About the same time, I read the old translation (called Dryden's) of Plutarch's Lives, and Echart's Roman History. I well remember that the perusal of the last led me into a ridiculous habit, from which I shall never be totally free. I used to fancy myself emperor of Constantinople. I distributed offices and provinces amongst my schoolfellows. I loaded my favourites with dignity and power, and I often made the objects of my dislike feel the weight of my imperial resentment. I carried on the series of political events in solitude for several hours; I resumed them and continued them from day to day for months. Ever since I have been more prone to building castles in the air, than most others. My castle-building has always been of a singular kind. It was not the anticipation of a sanguine disposition, expecting extraordinary success in its pursuits. My disposition is not sanguine, and my visions have generally

\* "His (Sir J. M.'s) father and I not only served together in the same regiment in Germany, but in the same company, and lived together for two years in the same tent, and during all that time there never passed an unkind word, or look, betwixt us, which is an uncommon circumstance, considering what selfish, churlish beings soldiers become during the course of a troublesome campaign. We did, indeed, live on terms of the most perfect friendship together. John Mackintosh was one of the most lively, good-humoured, gallant lads I ever knew; and he had an elder brother of the name of Angus, who served in the regiment (Col. afterwards Sir R. M. Keith's) that constantly encamped next to ours, who was a most intelligent man, and a most accomplished gentleman. Mr. M.'s grandfather saw his two sons return home at the end of the seven years' war, one with a shattered leg, and the other with the loss of an eye. As Pope says—

"'Both gallant brothers bled in honour's cause,  
In Britain yet while honour gained applause.'

John received his wound at the battle of Fellinghausen. The major to whom the company belonged was likewise wounded, and the ensign, like some of Homer's heroes, was, by the interposition of some god or goddess, carried off the field in a cloud, so that I was left alone to see after the company."—*Extract of a Letter from Major Mercer to Lord Glenbervie, 12th Jan. 1804.*

† His grandmother, Mrs. Macgillivray, is described as a woman of uncommon powers of mind, and superior cultivation for those days.

‡ These few recollections of his early life were thrown together at an interval of leisure in the year 1805, at Bombay.

regarded things as much unconnected with my ordinary pursuits, and as little to be expected, as the crown of Constantinople at the school of Fortrose. These fancies, indeed, have never amounted to conviction; or, in other words, they never influenced my actions; but I must confess that they have often been as steady, and of regular recurrence, as conviction itself, and that they have sometimes created a little faint expectation,—a state of mind in which my wonder that they should be realized would not be so great as it rationally ought to be. The indulgence of this dreaming propensity produces good and bad consequences. It produces indolence, improvidence, cheerfulness; a study is its favourite scene; and I have no doubt that many a man, surrounded by piles of folios, and apparently engaged in the most profound researches, is in reality often employed in distributing the offices and provinces of the empire of Constantinople.

"During my vacations I always went to my grandmother's house, where, among other books, I found Dodsley's Collection, Pope and Swift.\* The first verse which I read was Pope's Pastorals; and the first Criticism I recollect, was an observation which I repeated after my aunts, on the great superiority of Tate and Brady's Psalms over Sternhold and Hopkins' version. I then spoke with the confidence of youth. I think it very likely, that if I were to re-examine the question, I might now think it more doubtful. I cannot now remember whether a Pastoral, or an Elegy on the death of my uncle, Brigadier General Fraser (killed 7th October, 1777), was my first poetical attempt; but in the years 1779 and 1780, my muse was exceedingly prolific. My highest attempt was an epic poem on the defence of Cyprus by Evagoras, king of Salamis, against the Persian army. I found the story in Rollin, whose Ancient History I had then been reading; and I thought it a noble example to Great Britain, then threatened with invasion, the combined fleets of France and Spain riding triumphant in the Channel.

"In the year 1779 I parted from my good and fond mother, who went to England to my father, then in camp near Plymouth, and who soon after accompanied him to Gibraltar, where she died.† She wrote me two letters, in one of which she described the action between Sir George Rodney and Don Juan Langara, of which she was an eye-witness; and in her last she sent me two Scotch bank-notes of one pound each, which seemed at that time an inexhaustible fortune. Some time before my first schoolmaster died, he had been effective and severe. He was succeeded by the usher, a man of the name of Stalker, of great honesty and good-nature, but far too indulgent to me to be useful. He employed me in teaching what very little I knew to the younger boys. I went and came, read and lounged, as I pleased.‡ I could very imperfectly construe a small part of Virgil, Horace, and Sallust. There my progress at school ended. Whatever I have done beyond has been since added by my own irregular reading: But no subsequent circumstance could make up for that invaluable habit of vigorous and methodical industry which the indulgence and irregularity of my school life pre-

vented me from acquiring, and of which I have painfully felt the want in every part of my life.\*

"During one of my vacations I conceived and executed a singular experiment on the friendship of my little society at Fortrose. I wrote a letter in the handwriting of an uncle, to the master of the school, announcing my own death; and to make it still more interesting, the letter stated that in gathering hazel-nuts for my school-friends I had fallen down a rock, that I had been cruelly mangled in my fall, and that I had died of my wounds. I was rather gratified by the result. I found that my supposed fate had excited as much mourning and as many tears as I could reasonably have desired. In the winter after I versified (in as rugged, but not so nervous lines as Donne or Oldham) a satirical representation of some of the most illustrious personages of our little town, written in prose by a lady who was very kind to me. This occasioned a schism in the village; I may well call it a civil war, for it gave rise to a civil suit and a criminal trial. I warmly espoused the cause of the young lady whose satire I had versified. In this I perhaps first either acquired or displayed that propensity to warm sympathy, and general co-operation with those whose general motives and conduct I approved, which will always, in some measure, bias the judgment—which, therefore, a philosopher will conquer if he can, but without which, in active life, no one can do much harm or good.

"In October, 1780, I went to college at Aberdeen, and was admitted into the Greek class, then taught by Mr. Leslie, who did not aspire beyond teaching us the first rudiments of the language; more would, I believe, have been useless to his scholars. He instructed us in English reading and recitation; and, as far as I can recollect his instructions, they were good, though his pronunciation was not peculiarly elegant; yet I think it was such as he could not have acquired without some residence in England. I can now call to mind his reading Adam's description of his feelings after the creation, 'As new waked from soundest sleep,' &c., and I think it was read well. I had brought with me to college a collection of my verses, which were soon so generally read that I gained the most undeserved name of 'the poet,' by which I was known for two or three winters. My manuscripts were shown to the learned Dr. Charles Burney, then finishing his term at Aberdeen. I was too obscure to know him personally; but I was intoxicated more than ever I shall be again by praise, when I heard 'that, in his opinion, I should go on and might do well.' I bought and read three or four books this first winter, which were very much out of the course of boys of fifteen anywhere, but most of all at Aberdeen. Among them was Priestly's Institutes of Natural and Revealed Religion, and Beattie's Essay on Truth, which confirmed my disposition to metaphysical inquiries, and Warburton's Divine Legation, which delighted me more than any book I had yet

\* His passion for reading withstood all his father's sneers at his degeneracy, and complaints that he would become "a mere pedant." He was, indeed, constantly, at all times and places, employed in that occupation. He would occasionally take his book and his dinner out with him, and remain in some secluded nook in the hill the whole day. All his feelings, and the manner in which he expressed them, were considered no less remarkable at that early age—a circumstance which drew from an old lady the observation (descriptive of his readiness) "that he was a spontaneous child." But an old female domestic, who used to be his attendant, with the characteristic caution of her country, used to welcome the boy's sallies with a sober admonition, "Wait awhile, its no aye that wae bairns mak' wae men." The housekeeper of his uncle Mr. Mackintosh, of Farr, where he subsequently spent some of his college vacations, still survives, upon whom the young student first practised corruption to obtain occasionally a whole candle, wherewith to continue his midnight studies in bed, in place of the small bit of one which the old gentleman, through fear of being burnt with his house, enjoined.

† Where, thirty years afterwards, as will be seen, he erected a monument to her memory.

‡ A learned professor of Aberdeen, whilst on a visit at the house of Sir Alexander Mackenzie, of Coul, met, in one of his morning rambles in the neighbourhood of Fortrose, a little boy with whom he fell into conversation, and with whose appearance he was not a little struck. Upon mentioning the name of his young acquaintance, and the impression left on his own mind by the meeting, Sir Alexander replied, "Every body knows that boy—that Jamie Mackintosh." The name of Jamie Mackintosh was synonymous over all the country side, as a prodigy of learning.

\* "The Rev. John Wood, a distant relation of mine, many years after, told me that Jamie Mackintosh was by far the cleverest boy he ever had under his eye; and that, before his thirteenth year, he discovered a singular love for politics. It was at the period when Fox and North made such brilliant harangues on the American war. Jamie adopted the cause of liberty, and called himself a *whig*! and such was his influence among his schoolfellows, that he prevailed on some of the elder ones, instead of playing at ball, and such out-of-door recreations, to join him in the school room, during the hours of play, to assist at the debates, on the political events of the day, which they got from the rector's weekly newspaper, the Aberdeen Journal, the only gazette in the north at that time. This assembly was denominated 'the House of Commons,' and the master's pulpit 'the tribune,' from which the orators delivered their speeches. When Mackintosh mounted the rostrum, he harangued till his soprano voice failed. One day he was Fox; another Burke, or some leading member of opposition; but when no one ventured to reply to his arguments, he would change sides for the occasion, personate North, and endeavour to combat what he conceived the strongest parts in his own speech. A youth of his own age, John Mackenzie, of the house of Suddie, was his great chum, although they differed in politics, were sworn friends, and often rehearsed in the fields what they afterwards delivered from the pulpit; but Mackenzie, though also a clever boy, had no chance with his opponent. When I found out," continued Mr. Wood, "this singular amusement of boys, I had the curiosity to listen, when Jamie was on his legs. I was greatly surprised and delighted with his eloquence in his character of Fox, against some supposed or real measure of the prime minister. His voice, though feeble, was musical; and his arguments so forcible, that they would have done credit to many an adult. John Mackenzie, afterwards Major General, a brave officer, was killed at Talavera."—Extract of a Letter from Major Pryse L. Gordon, to the Editor.



read, and which, perhaps, tainted my mind with a fondness for the twilight of historical hypothesis, but which certainly inspired me with that passion for investigating the history of opinions which has influenced my reading through life. I have often indulged my fancy at the expense of my understanding in looking around, when too clear a daylight did not prevent the mind from shaping and colouring objects at its pleasure. I have often felt a delightful sense of liberty in escaping from the narrow confines of reason, which I am disposed in part to attribute to a book which no boy or youth ever could have read without its making a deep impression on his mind. The luminous theory of hieroglyphics, as a stage in the progress of society, between picture-writing and alphabetic character, is perhaps the only addition made to the stock of knowledge in this extraordinary work; but the uncertain and probably false suppositions about the pantheism of the ancient philosophers, and the object of the mysteries (in reality, perhaps, somewhat like the freemasonry of our own times) are well adapted to rouse and exercise the adventurous genius of youth. They must, I think, have contributed to form that propensity to theorize on the origin, progress, and decline of theories which I still very strongly feel. The history of speculation is extremely difficult, because it requires the union of a most philosophical spirit, with very various and exact learning. It requires a most familiar acquaintance with the works of a long succession of writers of various ages and nations, of their language, as it is affected by the peculiarities of their country, of their time, of their sect, and of their individual character. The historian must identify himself with them; and yet he must not be blinded by their prejudices. He must collect his materials from many writers, who at first sight appear little connected with his subject. He must be intimately acquainted with the civil history of those nations, amongst whom philosophy has flourished. After this, and much more previous preparation, the great difficulty still remains. The investigation of the causes which have affected opinion, is the most arduous exertion of human intellect. When all prejudices are subdued, and when all necessary knowledge is gained, the theory of theories will continue to have difficulties which belong to its nature, and which mere industry and impartiality will never overcome. The circumstances which determine the resolutions of speculation, are of so subtle and evanescent a kind, that the most refined politics of the most ingenious statesmen are comparatively gross and palpable. Changes of opinion resemble more those of the weather than any other appearances in the material world. Like them, they depend so much on minute, infinitely varied, and perpetually changing circumstances, that it seems almost as desperate an attempt to explain them, as it would be to account for the shape of every passing cloud, or for the course of every breath of wind. But a volume would not explain the difficulties of this mental meteorology. I must, however, say, that I speak of my inclination, not of my proficiency. I never had industry; I now have not life enough to acquire the preliminary learning.

"To return from this digression, into which Warburton has led me. The winters of 1780-1, 1781-2, 1782-3, 1783-4, were passed at Aberdeen, and the vacations at the house of my grandmother. The second winter, according to the scheme of education at King's College, I fell under the tuition of Dr. Dunbar, author of 'Essays on the History of Mankind,' &c.; and under his care I remained till I left college. He taught mathematics, natural and moral philosophy, in succession. His mathematical and physical knowledge was scanty, which may, perhaps, have contributed to the scantiness of mine. In moral and political speculation, he rather declaimed, than communicated (as he ought) elementary instruction. He was, indeed, totally wanting in the precision and calmness necessary for this last office. But he felt, and in his declamation inspired an ardour which, perhaps, raised some of his pupils above the vulgar; and which might even be more important than positive knowledge. He was a worthy and liberal-minded man, and a very active opponent of the American war. In spring, 1782, when the news arrived of the dismissal of Lord North, he met me in the street, and told me, in his pompous way, 'Well, Mr. M. I congratulate you, the Auegan stable is cleansed.' Instead of giving my own opinion of his book, I will rather state that it was commended by Dr. Robertson, and even by Dr. Johnson. I trace to his example some declamatory propensities in myself, which I have taste enough in my sober moments to disapprove; but I shall ever be grateful to his memory, for having contributed to breathe into my mind a strong spirit of liberty, which, of all moral sentiments, in my opinion, tends most to swell the heart with an animating and delightful conscious-

ness of our own dignity; which again inspires moral heroism, and creates the exquisite enjoyments of self-honour and self-reverence.

"We had among us some English dissenters, who were educated for the ecclesiastical offices of their sect. Robert Hall, now a dissenting clergyman at Cambridge, was of this number. He then displayed the same acuteness and brilliancy; the same extraordinary vigour, both of understanding and imagination, which have since distinguished him, and which would have secured to him much more of the admiration of the learned and the elegant, if he had not consecrated his genius to the far nobler office of instructing and reforming the poor.

"His society and conversation had a great influence on my mind. Our controversies were almost unceasing. We lived in the same house, and we were both very disputatious. He led me to the perusal of Jonathan Edwards's book on Free-Will, which Dr. Priestley had pointed out before. I am sorry that I never yet read the other works of that most extraordinary man, who, in a metaphysical age or country, would certainly have been deemed as much the boast of America, as his great countryman, Franklin. We formed a little debating society, in which one of the subjects of dispute was, I remember, the Duration of future Punishments. Hall defended the rigid, and I the more lenient opinion. During one winter, we met at five o'clock in the morning to read Greek, in the apartment of Mr. Wynne, a nephew of Lord Newburgh, who had the good-nature to rise at that unusual hour for the mere purpose of regaling us with coffee. Hall read Plato, and I went through Herodotus. Our academical instruction has left very few traces on my mind."

[The reader will not be displeased at a short interruption, for the purpose of introducing an interesting notice relating to this period, contained in a letter of one of Sir James's fellow-students, who now fills a distinguished situation in the early scene of their common studies, the Rev. W. Jack, D.D., Principal of King's College, Aberdeen, to the Hon. Lord

\* When these two eminent men first became acquainted, Sir James was in his eighteenth year, Mr. Hall about a year older; and Sir James said he became attached to Mr. Hall "because he could not help it." There wanted many of the supposed constituents of friendship. Their tastes at the commencement of their intercourse were widely different; and upon most of the topics of inquiry there was no congeniality of sentiment; yet, notwithstanding this, the substratum of their minds seemed of the same cast; and, upon this, Sir James thought the edifice of their mutual regard first rested. Yet he ere long became fascinated by his brilliancy and acumen, in love with his cordiality and ardour, and awe-struck (I think that was the term employed) by the transparency of his conduct, and the purity of his principles. They read together, they sat together at lecture, if possible, they walked together. In their joint studies they read much of Xenophon and Herodotus, and more of Plato; and so well was all this known, exciting admiration in some, in others envy, that it was not unusual, as they went along, for their class-fellows to point at them, and say, there go "Plato and Herodotus." But the arena in which they met most frequently, was that of morals and metaphysics. After having sharpened their weapons by reading, they often repaired to the spacious sands upon the sea-shore, and still more frequently to the picturesque scenery on the banks of the Don, above the old town, to discuss with eagerness the various subjects to which their attention had been directed. There was scarcely an important position in Berkeley's Minute Philosopher, in Butler's Analogy, or in Edwards on the Will, over which they had not thus debated with the utmost intensity. Night after night; nay, month after month, for two sessions, they met only to study or dispute, yet no unkindly feeling ensued. The process seemed rather, like blows in that of welding iron, to knit them closer together. Sir James said his companion, as well as himself, often contended for victory; yet never, so far as he could then judge, did either make a voluntary sacrifice of truth, or stoop to draw to and fro the *serra argentea*, as is too often the case with ordinary controversialists. From these discussions, and from subsequent discussion upon them, Sir James learnt more as to principles (such, at least, he assured me was his deliberate conviction), than from all the books he ever read. On the other hand, Mr. Hall, through life, reiterated his persuasion, that his friend possessed an intellect more analogous to that of Bacon, than any person of modern times; and that, if he had devoted his powerful understanding to metaphysics, instead of law and politics, he would have thrown an unusual light upon that intricate, but valuable region of inquiry. Such was the cordial reciprocal testimony of these two distinguished men; and, in many respects (latterly, I hope and believe, in all the most essential) it might be truly said of both, "as face answereth to face in a glass, so does the heart of man to his friend."—*Gregory's Memoir of Robert Hall*, p. 22.

Gillies. "Pursuing the same course, I followed at the distance of one year. In either case (both at Aberdeen and Edinburgh) I found him the centre of all that was elegant and refined, by general acclaim, installed *inter studiosos facile princeps*. At Aberdeen he was familiarly designated 'the poet,' or 'poet Mackintosh.' I never could learn to what circumstance he was indebted for this *soubriquet*, but was told that it had followed him from school. In vain he disclaimed it, pleading not guilty to the extent of a single couplet.\* I considered it meant as a hint, that if he did not compose verses, he should—possessing in his own person all the qualifications of a gay Troubadour.

"His chief associate at King's College was my class-fellow, the late Rev. Robert Hall. Like Castor and Pollux, they were assimilated in the minds of all who knew them, by reason of the equal splendour of their talents; although in other respects they were very unlike. General courtesy, tasteful manners, a playful fancy, and an easy flow of elocution, pointed out James Mackintosh among his companions. Plainness, sincerity, an ardent piety, and undeviating love of truth, were the characteristics of Robert Hall; in both so strongly marked, that I do not believe they ever changed, or could change, under any circumstances.

"Under their auspices a society was formed in King's College, jocularly designated 'the Hall and Mackintosh club.' They were, in fact, the centre of attraction, if not the source of light, round which eight or nine of us moved, partaking of the general influence. Of this group of once ardent spirits, I am now the sole survivor; and of all of them I can say, that to a man they lived and died zealous supporters of what are called liberal principles. My recollections of the topics which then occupied us, has become imperfect. It was an object with all of us to rouse into action the energies of Robert Hall, whose great guns were sure to tell. This could only be done by convincing him of the moral tendency of the argument. There were none more animated than he, whereas he detested sophistry; and the more ingenious the sophism, the greater his despatch. Mackintosh would assail him with small artillery, of which he well knew the graceful and becoming use; and, having for a season maintained the contest, would himself lead the way to an unanimous adoption of principles which could not be controverted.

"At one time Mackintosh devoted eight days of intense study to obtain a mastery over the controversy between Dr. Priestley and Bishop Horsley, not doubting that this would lead to a warm conflict. The subject did not please, and polemics were henceforth proscribed. He was afterwards more successful in selecting subjects from the late American war—from the Letters of Junius, and from the pending trial of Warren Hastings. I consider it a consequence of having participated in these collisions of opinions, that afterwards, when the *Vindiciæ Gallicæ* and Hall's Discourses appeared, the perusal affected me, as a repetition of a former lesson, with the leading principles of which I was before familiar."

"The lectures of Mr. Ogilvie, Professor of Humanity (as the Roman literature is called in the Scotch Universities), I still remember with pleasure. This most ingenious and accomplished recluse, from whom I have received a letter within this month (June, 1805), is little known to the public. He published, without his name, *An Essay on the Right of Property in Land*, full of benevolence and ingenuity, but not the work of a man experienced in the difficult art of realizing projects for the good of mankind. Its bold *agrarianism* attracted some attention during the ferment of speculation occasioned by the French revolution. But what I remember with most pleasure of Mr. Ogilvie, were his translations of passages in classical writers. I should distrust the general admiration which attends the vague memory of youthful impressions; but I now recollect distinctly his version of some parts of *Æneid*; and I doubt whether a great poet, distinguished, beyond other excellencies, by his perfect style, was ever so happily rendered into prose as these fragments of Mr. Ogilvie."

"Among my few acquaintances at Aberdeen was Major Mercer, an old friend and fellow-soldier of my father, during the 'Seven Years' War,' whose little volume of poems, everywhere elegant, and sometimes charming, has been published a second time at London, last year. His wife, a sister of Lord Glenbervie, was a beautiful and accomplished wo-

man.\* He condescended to talk literature with me, and I well remember his expressing wonder at the admiration for Dryden, expressed by Johnson in his *Lives of the Poets*, then first published, and which, by the favour of Dr. Dunbar, who, I believe, had his copy from the author, I devoured with greediness and delight. I visited, frequently, Mrs. Riddock, mentioned by Boswell as his cousin, in his journeys. She had with her a young niece, my relation, with whose present fate I am unacquainted, but who was then so very agreeable and promising.

"These are the few circumstances of my college life, which have remained on my mind. The vacations were partly occupied by versifying.

"I had now the usual subject of verse. About the year 1782 I fell violently in love with a very beautiful girl, Miss S—, daughter of Mr. S—, of I—, about three years younger than myself. I wooed her in prose and rhyme till she returned my passion. For three or four years this amour was the principal object of my thoughts; during one half-year almost the only occupation of my time. I became extremely impatient for an early establishment in life, which should enable me to marry. The simplicity of my habits of life, and the eagerness of my passion, combined to inspire me with the most philosophical moderation. My utmost ambition did not soar beyond a professorship at Aberdeen. The means of accomplishing this humble project were, however, scanty. The return of my father from Gibraltar, at the peace in 1783, gave me the little help of a very good-natured and indulgent parent; perhaps too ready to yield to all my wishes. But he had passed his life in another world; and the utmost he could contribute towards the execution of my scheme was a letter to his friend, Major Mercer, whose influence I represented as all-powerful with the literati of Aberdeen. Whether this letter was ever sent I know not. The plea was gradually relinquished, and in spring 1784,† I finally quitted college with little regular and exact knowledge, but with considerable activity of mind and boundless literary ambition.

'The world was all before me,'

and I had to choose my profession. My own inclination was towards the Scotch bar. But my father's fortune was thought too small for me to venture on so uncertain a pursuit. To a relation from London, then in the Highlands, I expressed my wish to be a bookseller in the capital, conceiving that no paradise could surpass the life spent amongst books, and diversified by the society of men of genius. My cousin, 'a son of earth,' knew no difference between a bookseller and a tallow-chandler, except in the amount of annual profit. He astonished me by the information that a creditable bookseller, like any other considerable dealer, required a capital, which I had no means of commanding, and that he seldom was at leisure to peruse any book but his ledger. It is needless to say that his account of the matter was pretty just; but I now think that a well educated man, of moderate fortune, would probably find the life of a bookseller in London very agreeable. Our deliberations terminated in the choice of physic, and I set out for Edinburgh to begin my studies, in October 1784. In the meantime I am ashamed to confess that my youthful passion had insensibly declined, and, during this last absence, was nearly extinguished. The young lady afterwards married a physician at Inverness, and is now, I hope, the happy, as well as respectable mother of a large family.

"My arrival at Edinburgh opened a new world to my mind. That city was then the residence of many extraordinary men. Dr. Smith, the first economical philosopher, and, perhaps, the most eloquent theoretical moralist of modern times. Dr. Black, a man equally philosophical in his character and in his genius, the father of modern chemistry, though his modesty and his indolence will render his name celebrated rather by the curious in the history of that science than by the rabble of its cultivators. John Home, the feebleness of whose later works cannot rob him of the glory of being the author of the best tragedy produced by the British nation—certainly since the death of Rowe—perhaps since the death of Otway. Henry Mackenzie, to whom we owe (in my opinion) the most exquisite pathetic sections in our language. Dr. Cullen, the most celebrated medical teacher and writer in Europe, whose system of medicine just then beginning to be on the wane, had almost rivalled those of Boerhaave and Hoffman; and whose accurate

\* It is not improbable that during the latter part of his residence he wished to shake off the poet.

\* Their daughter, Miss Mercer, of Aldie, became the wife of Admiral Lord Viscount Keith, and the mother of the present Viscountess Keith, Countess Flahaut.

† He took his degree of Master of Arts, March 30th.



descriptions of disease will probably survive a long succession of equally specious systems. Dr. Robertson, the most elegant and picturesque narrator among modern historians; industrious, sagacious, and rational, though not often very profound or original. Dr. Ferguson, not undeserving of the great reputation which he had acquired by that masculine energy and austere dignity of style, which seemed to become a teacher of morals. Dr. Hutton, with whose metaphysical works I lament that I am unacquainted, and of whose celebrated system of geology I am not a competent judge; but of whose superior powers I cannot doubt, after reading the admirable account of him by Mr. Playfair. Mr. Robison, one of the greatest mathematical philosophers of his age; and last in seniority, though in no other respect, the ingenious, accomplished, elegant, and amiable Stewart, my excellent friend, whose just fame is now almost the only standing column in the temple of the Caledonian muses. Eight years before, the immortal Hume had ceased to illuminate our frozen regions; and in 1792 died Henry Home Lord Kames—a writer who had never so cultivated his vigorous natural powers, as for them to ripen into talents for any species of composition, who wrote many bad books, full of ingenuity, which, at the constant expense of his own permanent reputation, supplied literary ferment for the minds of his countrymen, and which, though they have already perished, have had a lasting effect, and deserve much consideration in the literary history of Scotland.

"With these celebrated men my age did not allow me to be much acquainted, and accident furnished me with few opportunities of access to them. At the hospitable house of my friend, Mr. Fraser Tytler, now (1805) Lord Woodhouselee, I often saw his friends, Mr. Henry Mackenzie and Dr. Gregory. The elegant genius of the former was too calm to make a due impression on the tumultuary mind of a disputatious boy, and I soon contracted prejudices against the latter of the same nature with those which made me spurn the society, and reject the almost paternal kindness of Dr. Cullen, to whom I had been very warmly recommended.

"Within a few weeks after my arrival in Edinburgh, I became a Brunonian. This requires some explanation. A few weeks before that time, John Brown, first a teacher, then a writer of barbarous Latin, as well as private secretary to Dr. Cullen, had become a teacher of medicine, and the founder of a new medical system, which, after being destined to 'strut and fret its hour upon the stage,' and after the miserable death of its author, excited the warmest controversies on the continent of Europe; and, combining with some of the singular novelties of philosophical speculation lately prevalent in Germany, seems likely still to make no inconsiderable figure in the revolutions of philosophy. This extraordinary man had such a glimpse into medical experience, as enabled him to generalize plausibly, without knowing facts enough to disturb him by their importunate demands for explanations, which he never could have given. He derived a powerful genius from nature; he displayed an original invention in his theories, and an original fancy in his declamation. The metaphysical character of his age and nation gave a symmetry and simplicity to his speculations unknown to former theories of medicine. He had the usual turbulence of an innovator, with all the pride of discovery, and the rage of disappointed ambition. Conscious of his great powers, and very willing to forget the faults which obstructed their success, he gladly imputed the poverty in which he constantly lived to the injustice of others, rather than to his own vices. His natural eloquence, stimulated by so many fierce passions, and delivered from all curb by an habitual, or rather perpetual intoxication, was constantly employed in attacks on the systems and doctrines, which had been the most anciently and generally received among physicians, and especially against those teachers of medicine who were most distinguished at Edinburgh, to whom he imputed as base a conspiracy, and cruel persecution, as those which Rousseau ascribed to all Europe. They probably were not so superior to the common frailties of human nature, as to examine with patience and candour the pretensions of an upstart dependent, whom they perhaps had long considered as ignorant, and now might believe to be ungrateful. This new doctrine had great charms for the young; it allured the speculative by its simplicity, and the indolent by its facility; it promised infallible success, with little previous study or experience. Both the generous and the turbulent passions of youth were flattered by an independence of established authority. The pleasures of revolt were enhanced by that hatred of their masters as impostors, and even as tyrants, with which all the power of Brown's invective was employed to inspire them. Scope and indulgence were given to all their passions. They had opponents to detest, as well as a leader to admire, without which

no sect or faction will much flourish. Add to all this that Brown led the way in Bacchanalian orgies, as well as in plausible theories and animating declamation. It will not seem wonderful that a man who united so many sources of influence should have many followers, independently of the real merits of his system, which were very great, but which had a small share in procuring converts. It ought not to be omitted that some of the most mischievous and effectual of the above allurements arose not from the subject, but from the teacher. Among these, every one will number personal invective; and it is equally true that the system must have been grossly misunderstood, before it could have been supposed to favour idleness or intemperance, though, as it was taught, it did in fact promote these views.

"I was speculative, lazy, and factious, and predisposed to Brunonianism by all these circumstances. The exciting cause was an accident which I will shortly mention. During a fever with which I was attacked, Mr. Alexander, a very excellent young man, the son of a physician at Halifax, visited me. He was a zealous Brunonian. By his advice I swallowed a large quantity of wine, and by that prescription I either was, or seemed to be, suddenly and perfectly cured. I suddenly became a Brunonian. I was elected a member of a society\* which met weekly for the discussion of medical questions, under the somewhat magnificent title of 'The Royal Medical Society.' It was then divided into Cullenians and Brunonians—the Catholic Church and the Heretics. The first was zealously supported by the timid and the prudent; and it might also comprehend some lukewarm sceptics, who thought it better to practice a lukewarm conformity to the established system, than, at the expense of their own and the public quiet, to embrace doctrines somewhat more specious indeed, but perhaps equally false. The Brunonians were, as usual, more active and enterprising than their opponents of the establishment; and whether they had any natural superiority or not, they had at least more active power.

"In three months after my arrival in Edinburgh, before I could have distinguished bark from James's powder, or a pleurisy from a dropsy in the chamber of a sick patient, I discussed with the utmost fluency and confidence the most difficult questions in the science of medicine. We mimicked, or rather felt all the passions of an administration and opposition; and we debated the cure of a dysentery with as much factious violence as if our subject had been the rights of a people, or the fate of an empire. Any subject of division is, indeed, sufficient food for the sectarian and factious propensities of human nature. These debates might, no doubt, be laughed at by a spectator; but if he could look through the ridiculous exterior, he might see that they led to serious and excellent consequences. The exercise of the understanding was the same, on whatever subjects, or in whatever manner it was employed. Such debates were the only public examinations in which favour could have no place, and which never could degenerate into mere formality; they must always be severe, and always just.

"I was soon admitted a member of the Speculative Society, which had general literature and science for its objects. It had been founded about twenty years before, and during that period, numbered among its members all the distinguished youth of Scotland, as well as many foreigners attracted to Edinburgh by the medical schools.

"When I became a member, the leaders were Charles Hope, now Lord Justice Clerk,† John Wilde, afterwards professor of civil law, and who has now, alas! survived his own fertile and richly endowed mind; Malcolm Laing the historian,

'The scourge of impostors and terror of quacks;'

Baron [Benjamin] Constant de Rebecque, a Swiss of singular manners and powerful talents, and who made a transient appearance in the tempestuous atmosphere of the French Revolution;‡ Adam Gillies,§ a brother of the historian, and a law-

\* "He accompanied a friend to the Medical Society in the capacity of a visitor. Having listened for a time to the discussions going on, he asked permission to speak, which he did to such a good purpose, that forthwith he was elected a member by general acclaim. When I rejoined him next year in Edinburgh, I found him President of the Royal Medical Society."—*Principal Jack's Letter*.

† [1835.] Lord President of the Court of Sessions.

‡ This was, of course, written long before M. Constant laid the foundations of a more durable fame.

§ Now a lord of session and judiciary.

yer in great practice at Edinburgh; Lewis Grant,\* eldest son of Sir James Grant, then a youth of great promise, afterwards member of parliament for the county of Elgin, now in the most hopeless state of mental derangement; and Thomas Addis Emmett, who soon after quitted physic for law, and became distinguished at the Irish bar. He was a member of the secret directory of united Irishmen. In 1801, when I last visited Scotland, he was a state prisoner in Fort George. He is now a barrister at New York.

"Hope had not much fancy, but he had sense and decision, and he was a speaker of weight and force.

"Emmett did not reason, but he was an eloquent declaimer, with the taste which may be called Irish, and which Grattan had then rendered so popular at Dublin. Wilde had no precision and no elegance; he copied too much the faults of Mr. Burke's manner. He was, however, full of imagination and knowledge, a most amusing speaker and delightful companion, and one of the most generous of men.

"Laing was most acute and ingenious, but his meaning was obscured by the brevity which he too much pursued in his writings, and by an inconceivable rapidity of utterance. Grant was a feeble speaker on popular subjects, and accordingly failed in the house of commons, but he had great powers of invention and discrimination in science, and might have become, I think, no mean philosopher. Upon the whole they were a combination of young men more distinguished than is usually found in one university at the same time; and the subsequent fortune of some of them, almost as singular as their talents, is a curious specimen of the revolutionary times in which I have lived. When I was in Scotland in 1801, Constant was a tribune in France; C. Hope, Lord Advocate; and Emmett, his former companion, a prisoner under his control.

"My first speech was in the Speculative Society; it was against the slave trade, which Dr. Skeete, a West Indian physician, attempted to defend. My first essay was on the religion of Ossian. I maintained, that a belief in the separate existence of heroes must always have prevailed for some time before hero-worship; that the greatest men must be long dead, believed to exist in another region, and considered as objects of reverence before they are raised to the rank of deities; that Ossian wrote at this stage in the progress of superstition; and that if Christianity had not been so soon introduced, his Tremor and Fingal might have grown into the Saturn and Jupiter of the Caledonians. Constant complimented me for the ingenuity of the hypothesis, but said, that he believed Macpherson to have been afraid of inventing a religion for his Ossian.

"Graham, a medical quack, long notorious in London, attended the lectures at Edinburgh in my first winter there, 1784-5. He endeavoured to make himself conspicuous, by what he called the earth-bath, which consisted in burying himself in the ground up to the neck, and remaining in that situation for several hours. The exhibition brought multitudes of people together, but he was more laughed at than wondered at, and he soon after burnt out. Where, and when he died, I never heard.

"In the next year we had several ingenious foreigners: Bachmatief, a Russian; Luzuriaga, a Spaniard; a Brazilian, whose name I have forgotten; but more particularly, Afzelius, the nephew of Bergman, himself a professor at Upsal; Locatelli, a very amiable and accomplished Milanese, of whose fate during the subsequent revolution of his country, I never heard; and Gerard, a Frenchman of talents and eloquence, who came with Mr. Goodwin, soon after well known to physiologists by his curious and important experiments on respiration.

Here terminates abruptly, and at an interesting crisis, the sketch of his early years, which he began with eagerness, as an introduction to a journal, which he proposed to keep some years subsequently, and which, like the journal itself, he wanted perseverance to continue. His opinion of the state of study at Edinburgh at that time, and of the defects which attended it, are however preserved in the following few lines.

"I am not ignorant of what Edinburgh then was. I may truly say, that it is not easy to conceive a university where industry was more general, where reading was more fashionable, where indolence and ignorance were more disreputable. Every mind was in a state of fermentation. The direction of mental activity will not indeed be universally approved. It certainly was very much, though not exclusively, pointed towards metaphysical inquiries. Accurate and applicable knowledge were deserted for speculations not susceptible of cer-

tainty, nor of any immediate reference to the purposes of life. Strength was exhausted in vain leaps, to catch what is too high for our reach. Youth, the season of humble diligence, was often wasted in vast and fruitless projects. Speculators could not remain submissive learners. Those who will learn, must for a time trust their teachers, and believe in their superiority. But they who too early think for themselves, must sometimes think themselves wiser than their master, from whom they can no longer gain anything valuable. Docility is thus often extinguished, when education is scarcely begun. It is vain to deny the reality of these inconveniences, and of other most serious dangers to the individual and to the community, from a speculative tendency (above all) too early impressed on the minds of youth."

These observations probably afford a very fair view of the situation of his own mind during the three years which he spent at the university. Though professedly engaged in the study of medicine, he seems not to have been a very ardent student in the dry and laborious preliminary labours, so necessary for the acquisition of a thorough acquaintance with the fundamental facts on which the science rests. Before he had acquired a full share of this solid and positive knowledge, he was eager to plunge into speculation. As well as belonging to the "Speculative," he became a very active member of "The Royal Medical" and "Physical" societies, two excellent institutions, which for many years were supported with great spirit, and which, with the able prelections of the eminent men who then taught the various branches of medical science and practice, contributed their aid to keep alive, and to exercise the ardour of the student, and to send forth the many illustrious men, whose names adorn this school of medicine. Each member of these societies was obliged to present a paper on some particular branch of medical science, the choice of which was left to himself; but which when read, was publicly commented upon by the members, and afforded the writer an opportunity of defence or correction. The papers which Mr. M. contributed on these occasions, are still preserved in the records of these societies, and are noticed more at large, as they remain almost the only memorials of his first profession.

The subject of that which he presented to the "Royal Medical Society," was intermittent fever, in which he took a view of those of the tertian tribe only. He shows a considerable acquaintance with the opinions of the best authors on the question, and traces at some length the symptoms of the disorder, as affected by situation, season and climate; the various forms which it assumes; the influences of marshes and miasmata; the various species of the disease; their effects, and the mode of cure.

The paper which he read to the Royal Physical Society, February 23d, 1786, on the instincts and dispositions of animals, affords larger scope to his favourite philosophical speculations, and he is less cramped than in the last by the technical or professional nature of his subject. It is evidently what it professes to be, a hasty production, but shows strong powers of mind, and sound principles of ratiocination. The inquiry is composed of two branches;—whether the actions of animals indicate the existence of principles in them in all respects similar to those which govern human actions; and whether those actions which appear very different, may not be proved to proceed from the same source; or, in other words, whether brutes have human faculties—whether they have original instinctive principles.

Both these youthful essays evince considerable powers of thought, but a mind evidently more turned to metaphysical and moral argumentation, than to a laborious and patient collection of physical facts. Of this he himself soon became sensible, and the discovery influenced the plan of his future life.

Exertions such as the above essays inferred, must be confessed to be exceptions to the ordinary tenor of the employment of his time. Occasions of pressing interest were required to rouse him to attempt them. His inclination for desultory reading and speculation seduced him so entirely from the routine of the branch of professional education, which he was professing to follow, that he was jocularly dubbed "an *honorary* member of the classes." In addition to the disadvantages which followed from such indolence, the line of opposition which he had taken to the regular professors, and academical authority, in a vein of boyish humour, rather estranged him from some of his own nearest connexions, who looked upon him as an able, but wayward youth, whom time would bring round to more reasonable views. He, in the mean time, found what he no doubt, at the time, considered ample amends, in the more jovial society of those of his fellow-students who

\* The present Earl of Seafield and Findlater.



were loth to admit that the day of thoughtless pleasure was past.

The following impeachment, by one\* who was an accomplice at these orgies, had probably considerable share of truth:—"The literary fame which the superiority of his talents had acquired at Aberdeen, travelled before him to Edinburgh; and on his arrival, his acquaintance and company were eagerly courted by those students who aspired to equal eminence, or who embarked in similar pursuits. If Edinburgh afforded him more various facilities for improvement, it also held out opportunities of pleasure and dissipation, in which even the most cautious youth is often too prone to indulge. Young Mackintosh was not altogether proof against the frailties of his age, and he indulged pretty freely in all those enjoyments in which its ardour and impetuosity are wont to revel. The character, however, of his dissipation was very different from that of the generality of young men. Whatever might be the inconstancy of his other amours, the love of knowledge never once deserted him; for whether he sighed in the Italian groves, or joined in the roar of the convivial board, he had constantly a book in his hand, and most commonly an ancient or a modern poet, upon whose sentiments, or diction he frequently interposed some observations, and to which he endeavoured to direct the attention and remarks of others. He was thus unremittingly active in the exercise of his mind, and thus happily contrived to imbibe instruction with his wine."

The recurrence of the vacations, which were commonly spent with his aunt at Farr, or with his other kind relatives, Mr. and Mrs. Fraser, at Moniach, also in the neighbourhood of Inverness, released him for a time to breathe morally, as well as naturally, a purer atmosphere amongst his native hills. Thither he was accompanied only by that ardent love of study and literary abstraction,† which had become the presiding habit of his mind.

The allotted course of education having now elapsed, he became candidate for a degree, and prepared, in conformity with custom, a thesis to be submitted to the professors, as one of the tests of qualification. The subject he selected was, "De motu musculari;"‡ one of so much intricacy and doubt, as to cause very general surprise in those who had been cognizant of his desultory mode of study, at the lucid manner in which the inquiry into the different hitherto received opinions was conducted; he himself supporting the theory of Haller regarding the necessary intervention of nervous action in producing muscular irritability, against that of Whytt, and the more generally received opinions of the time.

It was somewhat characteristic, that on the morning of the examination, although it did not take place till between ten and eleven o'clock, he kept the *Senatus Academicus* waiting for him a considerable time. "For this disrespectful inattention, he, however," adds Dr. Fleming, "abundantly atoned by the quickness and dexterity with which he replied to the different objections that were urged against his positions."

Having obtained his diploma, he lingered in Edinburgh for some weeks after the session had closed, and quitted it finally in the month of September following, with a store of knowledge more varied and comprehensive, than methodically arranged, or concentrated on professional objects, but with aroused energies, and youthful confidence in the future.

\* The late John Fleming, M. D.

† Amusing instances might be cited. One day, after he had been conversing with Mrs. Fraser, a key, which was much wanted, as some visitors were waiting for some refreshments of wine, &c., and it "oped that sacred source of sympathetic joy"—could not be found; it struck her that Mr. M., in an absent mood, might have taken it up. A servant was despatched after him, by whom he was found in a pool of the burn, which runs by the house, bathing, with his clothes on one stone, and his watch on another, while the young philosopher was busily employed in feeling his own pulse, to discover the difference made upon its pulsation by the immersion of his body in water; the key being, as was suspected, in his waistcoat-pocket.

‡ It was dedicated to his intimate friend, the late Dr. Alexander, of Halifax. Another of his associates was the late Dr. Sayers, of Norwich, whom he used to meet subsequently, during his frequent visits to that city.

## CHAPTER II.

Arrival in London—Period of political excitement—Contemplates a medical appointment in Russia—Marriage—Pamphlet on the regency—Abandons the medical for the legal profession—"Vindiciæ Gallicæ"—"Friends of the people"—Letter to Mr. Pitt—Called to the bar—Correspondence with Mr. Burke—Visit to Beaconsfield—Death of Mrs. Mackintosh—Letter to Dr. Parr.

THE time when, what is imputed to his countrymen as an instinctive inclination towards the south might be indulged, was now arrived, and Mr. Mackintosh repaired, for the first time, to London, in the beginning of the next spring, (1788), where he took up his abode as a boarder, in the house of Mr. Fraser, a worthy man, and a maternal relation, who was then carrying on the business of a wine merchant in Clipstone street, near Fitzroy square. He was accompanied on this occasion, by one of his most intimate college friends, Mr. Grant, who still survives, but not in a state of health to supply any memorials of what passed in the mind of his companion at that moment—so full of hope and fear—in the struggle of unaided genius.

The scene for which he longed was now before him; and he had arrived on the great stage of action at a moment sufficiently distracting for one of more advanced age, and more settled pursuits. At the point of time when a young enthusiast for public happiness came in contact with society, it was already heaving with the coming storm, which was so soon to burst over a neighbouring country, and eventually to shake every other to its lowest foundations.

In the former,—to recur for a moment to the circumstances of the period—in France, the opposite evils and errors of actual legislation, and of long neglect, were keenly felt. A long period of unprecedented internal peace, had indeed in those countries of Europe, in which civilization had made the greatest strides, diffused an elegance of manners, a toleration and liberality of thought, and an extent of information unparalleled in the past history of mankind. The progress of political knowledge and speculation, even while it was unmarked, and considered only as idle theory, was real and great. Voltaire had laughed at all abuses, and sometimes at the most valuable truths. Rousseau had laid bare the very foundations of society; and by a singular union of metaphysical thought, with profound and elegant sensibility, had created a numerous body of disciples of every class and rank. The works of Montesquieu, sage, temperate, and pregnant with thought, had become the manual of statesmen and philosophers. The speculations derived from these sources, long silently working among men of letters, and, indeed among readers of every description on the continent, had rendered familiar to the public mind many opinions and principles, which, though considered as only curious and amusing subjects of nearly barren political disquisition, lay in their minds, and formed a combustible mass, ready at the first touch to be roused into action, with a force altogether unsuspected by the most sanguine of these speculators themselves. The reasonings of the economists, though exposed to ridicule by the wits and courtiers of the time, had not been without their influence.

While these materials were mingling and fermenting in the public mind, two great events gave them unlooked for energy. The one was the revolt of the American colonies from England; the other, the financial bankruptcy of France. The former being countenanced by the French ministry, accustomed the new allies of the colonies to defend their interference on reasonings drawn from the very fundamental principles of society, and to apply to actual events, discussions that had always before terminated in barren generalities. The latter induced the government to invite its subjects, at a crisis of extreme difficulty, to assist in the management of national affairs. It is to be recollected that no class of Frenchmen had ever been admitted to any share in public affairs, or had received the advantage of the slightest training in the practice, even of provincial or municipal legislation; but, on this invitation, they hurried to the work, full of the most generous intentions, excited by grand and swelling plans, long indulged and cherished as elegant and benevolent theories. The accumulated abuses of long years of mismanagement unfortunately presented too many objects of legitimate attack to the honest, but inexperienced, legislators, who longed to improve the institutions of their country. It would have been well, had the sudden consciousness of the possession of power permitted a calm and discreet exercise of it. The scene opened to their view was perfectly new, and filled them with generous but vague dreams of happiness and perfection.

In England, where various classes had long possessed a

share in the government, in proportion as less was to be done the ideas of men were more precise and definite; still, however, even here a widely extended impression existed, that a great political regeneration was at hand; and numbers of even the best informed men in Europe, in general, looked forward to a grand and immediate improvement in the social institutions of the world. The influence of these opinions pervaded every rank, and was felt in every company. They were opposed or defended wherever men met together. In the debating societies, which had long existed in England, and had been frequented by young men, especially by those intending to profess the practice of the law, as schools for public speaking, they now formed the chief topic of discussion. New clubs or societies were formed by men of weight and importance in the country, for the express object of propagating particular opinions. In them, the events that were passing in France, as well as the general principles of government, were freely and warmly debated. To a young man, like Mr. Mackintosh, a period of such excitement had irresistible allurements. He had assiduously cultivated the habits of public speaking, both at Aberdeen and Edinburgh. He was fond of moral and political controversy, and of every exercise of the reasoning faculty. That freedom of thought and expression which had marked his mind, whilst engaged on abstract subjects, was now openly before his eyes applied to the practical one of politics, and the foundation of opinions upon which that science reclines, were laid bare in arenas that might be said to be open to all.

A very short time had accordingly elapsed after his arrival in London, before, at a meeting of one of the numerous political societies of the period ("the Society for Constitutional Information," of which most of the opposition, and other eminent persons, including Sir William Jones and Mr. Romilly were members,) Mr. Sharp\* was much struck with the talent exhibited by a young man who was acting in the absence of the regular secretary, although only himself just admitted into the society. An immediate acquaintance was the consequence; although more than a year afterwards Mr. Sharp had not learnt, or had forgotten the name of his young and admired friend.†

To another scene he might be often traced, in its relation to events long by-gone, and scenes on the other side of the globe, strongly contrasting with the momentary turmoil that surrounded it. Hastings' trial had just began, and he was frequently among the throng, that crowded Westminster Hall on that august occasion, listening to those addresses of Burke and Sheridan that might rival the models of antiquity, which still fired his imagination. The young physician, while elevated by the powerful declamation of the English orators against the real or supposed oppressions of their countrymen in the east, was little aware, that his own future lot would be to administer justice and protection to the poor Hindu in that distant land.

But while his mind was thus actively employed in the exciting scenes around him, it was necessary to think of the concerns of life, and of his own future occupation and station in society. His views were still directed, in the first instance at least, to the medical profession; and both he and his friends looked around for some opening that might offer an advantageous prospect of reputation and emolument. Among those who most assiduously excited and assisted him in those inquiries was his maternal relation and adviser, Dr. Fraser, then an eminent physician at Bath, afterwards settled in London. This gentleman, among other professional views for his young friend, had in contemplation an establishment at St. Petersburg, where a concurrence of favourable circumstances seemed to promise a fair opening for a professional settlement. Among the correspondence on this subject appears the following note, addressed to whom does not appear, but which may be curious, as serving to mark the commencement of a long friendship.

London, 4th June, 1788.

DEAR SIR,—Since I had the pleasure of seeing you this morning, I have met with a gentleman from Scotland, Dr. Mackintosh, who proposes soon to go to Russia as a physician.

\* Richard Sharp, Esq. late M. P. for Portarlington.

† Long after this, at a great public dinner in 1790, Mr. S. being requested by Mr. Shore of Sheffield, to introduce him to Mr. Mackintosh, replied that it would give him much pleasure to introduce Mr. Shore to any one that he knew, but that he did not know Mr. Mackintosh. "Why?" said Mr. Shore, "you have been talking to him this half hour."

He is nearly connected with one of my most intimate friends, and has the reputation of uncommon abilities in the line of his profession. If it is in your power to be of any use to him, by giving him a few recommendatory letters to your acquaintances, you will do me a particular favour. Believe me ever, my dear Sir,

Most faithfully yours,  
DUGALD STEWART.

This plan was not carried into effect; and it is probable that Mr. Mackintosh felt little regret at the failure of any scheme, which would have removed him from such a scene of interest and enjoyment as London then presented to him. The prospect of the unexciting tenor of life, which the medical profession holds out, had no chance in the struggle with the stirrings of ambition, which the political excitement, in which he was already immersed, could hardly fail to cherish.

Indeed, amidst the novelties and distractions of his present life, his mind was not likely to be reconciled to a study of which he had never been fond. To the natural sciences connected with the study of medicine he had always shown indifference, if not dislike. The slow results of experiment, the minute investigation of nature, the deductions of the positive sciences had no charms for him—mind and its operations, man and his thoughts, actions and interests, and the inquiries connected with them, were the objects of his unwearied and delighted study. He often, in later times, regretted the too exclusive passion with which he had pursued these branches of knowledge, however noble in themselves. This preference, adopted early in life, was confirmed by the natural vivacity of his mind, his love of conversation, and of those acquirements, which were best fitted to give it grace, richness, or ease. Even at this early period he formed the delight of the societies which he frequented, not so much by the extent and variety of his knowledge, which even then was uncommon, as by his extraordinary flow of spirits, and lively, but good-natured wit. He had always, even as a student, been distinguished by the amenity and politeness of his manners; and he was now compelled in London, as he had formerly been in Edinburgh, to pay the tax of these agreeable qualities. His company was sought after, and few occupations induced him willingly to decline a pleasant invitation. He considered the mutual communication of agreeable information, and the interchange of social feelings as not the least valuable object of human existence. Under these circumstances, it is not surprising that his high spirits, and vivid enjoyment of the company of his friends, deprived, as he now was, of any regular study or occupation, produced the natural consequences, and that for a season, he gave himself more up to the jollity and thoughtless pleasures of his boon companions than the reflections of his quiet moments approved. It is not to be forgotten, either, that the manners of the times, when such practices, the relics of barbarism or rusticity, were but slowly withdrawing even from the highest circles of society, were infinitely more favourable to such excesses than would be believed by those, who have only witnessed the circumspection of the present age. A much larger portion of dissipated indulgence was overlooked in a young man, or rather was believed to be only a proof of spirit, and a necessary part of his career. But if Mr. Mackintosh had not prudence sufficient to keep him from such haunts, his education, his character, his manners, the refinement of his mind, his habits of study and meditation which never forsook him, his admiration of all that was elegant, generous, and noble, and his feelings of right, which were not deadened, although occasionally lulled to sleep, kept him always prepared for rousing himself from his trance, and asserting the natural elevation of his character.

In the same year that he removed to London, his father's death freed him from the little control which a soldier of careless and social habits had attempted to exercise over a studious youth. His long absence on service, (during which the boy had naturally transferred much of his affection upon the aunt with whom he had lived, and whose kindness to his childhood was ever after present to his memory) naturally tended to mitigate the sorrow with which Mr. M. nevertheless regarded the memory of his good-natured and generous parent. The succession to his paternal estate at Kellachie, situate amongst the hills on the upper part of Strathdearn, or the valley of the Findhorn, in Invernesshire, brought with it less of advantage at the moment, as it was burdened by an annuity to the wife of a former proprietor, who continued to survive. Such a consideration must have already become one of pressing interest with him. His habitual profusion in money matters, and the good-natured readiness with which he was ever



prepared to share the little, which would have been adequate to his own few wants, with those who made appeals to his generous sentiments, soon brought him to feel the pressure of pecuniary difficulties.\* His next step was one which did not appear, at first view, calculated to diminish them; though to it he probably owed a speedy escape from these, as well as the other thralldoms to which we have alluded. Perhaps if left alone in the struggle, so easy and ductile a character had with difficulty escaped at all; however much of serious foreboding a whole year, confessedly misspent at that important period of life (from which the remainder is so apt to take an indelible hue either of light or shade) must have brought with it for his private thoughts. No man was ever less fitted to bear up against the discomforts of private or solitary uneasiness. He always distrusted his own resolution, and yearned for community both of joy and suffering. At every period of his life he sought for some one, even though feebler than himself, on whom he could lean in his distresses. He above all delighted in the ease and tenderness of female society. At the period of which we speak, the past was beginning to present no very animating retrospect, and the future was less cheering still, when a change was wrought in his feelings and habits by the incident to which we allude.

Among the friends of Mr. Fraser, Miss Catharine Stuart, a young lady of a respectable Scotch family was a frequent visitor at his house. There Mr. Mackintosh often met her, and his first sentiments of esteem soon ripened into feelings of attachment. She was less remarkable for her personal attractions than for a rich fund of good sense, which, under gentle and unpretending manners, was directed by a strong mind and an affectionate heart. Her new acquaintance, one of whose pleasures at all times it was to sound the intellects, and study the character of those in whose company he was thrown, was delighted to find himself understood and valued by one so young and amiable. He daily took more pleasure in her conversation and society, and the pleasure was mutual. Though her circumstances were as limited as his own, his affection led him to propose and to urge an immediate union. The marriage took place privately in Mary-le-bone Church† on the 18th February, on which day he found himself, at the age of twenty-four, with no prospect of any immediate professional settlement, with his little fortune rapidly diminishing, and with a wife. The relations of both parties were seriously and justly offended at the rash proceeding; and the young couple had the difficulties, which necessarily surrounded them, aggravated by the strongest expressions of disapprobation from all their friends.

The new situation, on which he had entered, formed, in his own thoughts, a marked era in his life, and called him to the exercise of new duties, of which his mind had always been too impartial, and his judgment too sound not to estimate the true dignity. His feelings at every period of his life were essentially domestic, and even when most fond of company, he returned with pleasure to the simple enjoyments of the circle at home. He was easily amused. His good-nature made it painful to him to give uneasiness to any one near him. His love of study, the refinement of manners it cherishes, his turn for moral disquisition, and the high aspirations which never forsook him, his very love of good and polished society were powerful auxiliaries to withdraw him from his failings. Happily Mrs. Mackintosh's dispositions were such as lent them the most efficient aid. She not only loved her husband, but was proud of his superior talents; with anxious solicitude and exemplary patience she studied every means within her reach of recalling him to the habitual and methodical exercises of his abilities. She rendered home agreeable to him and to his friends. She bore with his infirmities without murmuring, counselled him with tenderness, encouraged him to exertion. Her firm practical understanding speedily gained an useful influence over his kind and yielding nature—an influence which she never lost, and which, to the last, she attempted to employ for his benefit and that of their children.

The malady which unhappily attacked the king, in the autumn of 1768, had absorbed for a time the public attention. Mr. Mackintosh warmly partook in the general interest, and his professional pursuits excited him to study the fine but mys-

terious link, which connects the human mind with the changes in the organization of the body; the subject was one that claimed all the powers of such as, like him, had made the philosophy of mind, as well as the structure of the human frame, the subject of study. While this subject occupied the public attention, he advertised a work on insanity, and a considerable portion of it was written. But the struggle regarding the Regency, which soon followed the announcement of his Majesty's illness, probably gave his thoughts another direction, and one more congenial to the turn which, for some time before, his wishes had taken. This struggle of the two great parties of the State was answerable for the birth, as the public were for the speedy death, of a pamphlet, supporting the analogy which Mr. Fox endeavoured to establish between the then existing circumstances and a natural demise of the crown.\* It is not necessary here to enlarge on the reasoning contained in the pamphlet, as unfortunately the renewal of the calamity at a much later date gave the author another opportunity of reviewing the arguments on the subject, an opportunity of which, it will be seen, that he availed himself.

The decided turn for politics which his mind had now taken, was further evinced at the election for Westminster, in June of the following year, by the zeal with which he espoused the cause of Mr. Horne Tooke, one of the candidates. A person who was interested in his success in life, writing to a friend in the Highlands, laments this apparent dereliction of his professional pursuits: "Instead of attending to his business," says he, "*my gentleman* was parading the streets with Horne Tooke's colours in his hat." It was probably on this occasion that he first made the acquaintance of that eminent politician, in whose sarcastic, but rich and lively conversation, he always took great delight; and at a later period he was a frequent guest at the Sunday parties at Wimbledon, where so many men of eminence in politics and letters were accustomed to meet. Mr. Tooke entertained a high opinion of his talents for argument, and it was no small praise from such a good judge, "*that he was a very formidable adversary across a table.*"†

Urged probably by the demands which his new state enforced, Mr. Mackintosh made, however, another effort to settle himself in practice, as a physician. He repaired to Bath, where his faithful adviser, Dr. Fraser, who was at all times warmly disposed to serve his young kinsman, enjoyed a considerable share of eminence. Under the Doctor's advice he attempted to avail himself of what seemed a promising opportunity for a professional settlement, first at Salisbury and afterwards at Weymouth; but whether or not any real objections came in aid of his distaste for his profession, and his unwillingness to leave London, the grand scene for talent and ambition, the plan was abandoned; from Bath he wrote a letter to his aunt in the Highlands, "at the first moment of tranquillity," he observes, "that he had enjoyed for nine months," and adds, that "he had escaped from a life, in which might Heaven preserve him from being again immersed."

The following autumn was occupied by a tour, in company with his wife, through the Low Countries to Brussels, and a residence there of some duration, during which, while he acquired an uncommon facility in the use of the French tongue, he at the same time obtained some insight into the causes, and chances of success in the struggle which was then going on between the emperor Joseph and his refractory subjects in the Netherlands. This knowledge he turned to account on his return to London, towards the end of the year, by contributing most of the articles on the affairs of Belgium and France to the "Oracle" newspaper, conducted at that time by Mr. John Bell, with whom an engagement had been made by a mutual friend for "Doctor" Mackintosh—a title which is said to have had some influence in the bargain, as conveying a favourable impression of the dignity of the new ally. This species of writing, not requiring continued application, appears to have fallen in with his desultory habits, and he laboured in his new vocation of "superintending the foreign news," with great industry. "One week, we are told, being paid in proportion to the quantity, his due was ten guineas;" at which John Bell, a liberal man, was rather confounded, exclaiming, "no paper can stand this." After this unfortunate explosion of industry, the exuberance of his sallies in the cause of Belgium and French freedom was repressed by a fixed salary, which he

\* So averse was he to all details of business, even the little which his small estate required, that the gentlemen, who had undertaken the management of it, finding it hopeless to expect to extract an answer from him to a letter of business, at last thought it due to themselves (and most justly) formally to abandon their trust.

† Miss Stuart, at the time of the marriage, resided with her brothers Charles and Daniel, well known respectively in the literary and political circles of London.

\* The Prince of Wales always professed a kindly recollection of the service thus done to his cause, when they afterwards met, as they occasionally did, at Hothfield, the late Earl of Thane's hospitable mansion in Kent; and he showed that he had not forgotten it, even after Mr. M.'s return from India.

† Stephens's Life of Horne Tooke, vol. ii. p. 334.

continued to enjoy till the increasing returns from his property, and augmented ease of his circumstances, allowed him more to consult his own inclination, as to the mode in which his talents and industry should be employed.

To the same date must be referred his resolution to devote himself to the study of the law. The exercise of such powers, as he must have been conscious of possessing, in the obscure columns of a newspaper, could not fail to be sufficiently irksome; although the only attempt, which he had as yet made in a higher walk, had not been much more encouraging. It might be adduced as an additional example, if one were needed, to show how indispensably necessary time and occasion are for the development even of the highest powers. There is no doubt that his style was now formed, as well as, in a great degree, the powers of his mind developed; but the most successful efforts of ability, the utmost splendour of language, are often passed over unheeded, or make but a feeble or temporary impression, when met with where we look for neither.\*

On his return from a visit to the Highlands, made during the next summer, he removed from Buckingham-street, which had been his residence for some time, to a small house in the village of Little Ealing, in Middlesex, there in comparative retirement he was partially relieved from the feverish state of political feeling which marked that period, and in which his own mind had for some time so deeply shared. Eager and anxious as was the gaze of all who watched the advance of "that great political heresy, whose path was all strewn over with the broken talismans of rank and power," the interest with which he had viewed the progress of the revolution was of no common kind; some idea of it may be collected from the bitterness of disappointment, which was ultimately in store for him, as described in his own words long afterwards; but the present was still a day, if not of triumph, at least of hope. While he was cultivating his powers in retirement, the influence of the contest, which had so long convulsed France, began to be felt in England also, and soon divided that powerful Whig party which for so many years had supported the principles of the Revolution of 1688. The first marked and decided evidence of a diversity of opinions, that promised to be irreconcilable, was afforded by the publication of Mr. Burke's "Reflections on the French Revolution."

The extraordinary effects produced by the appearance of this work, which to common observers seemed at variance with his former life and opinions, is well known. To all the advantages which practised eloquence could lend to genius—to all the grace which both borrow from evident singleness of purpose, it joined all those other still more powerful claims on the hearts of his countrymen, which were associated with its author's name. To the many, too, it seemed a greater sacrifice of consistency than it really was. In proportion as they had been ignorant that "an abhorrence for abstract politics, a predilection for aristocracy, and a dread of innovation," had always been articles of his political creed, did they magnify the sense of public duty which prompted, first, the sacrifice of the long cherished friendship with Mr. Fox, and, lastly, the publication of the affectionate warnings of (what appeared) matured wisdom. The skill of the orator, also, had been too successfully employed, for the eyes of the multitude not to be turned from the great body of the suffering nation, and the real friends of rational liberty in the French assembly, to the sorrowing group of royalty placed so carefully in the foreground. But whatever there might be of casual or temporary in this work, the confession could not but be general of its real and intrinsic merits. It contained maxims of political wisdom which had long been revolved and matured in the mind of the author,—one of the first thinkers, as well as one of the great-est orators of his age. He was a man who hardly ever skimmed slightly or carelessly over any subject which engaged his attention. He grappled boldly with difficulties, and declined no contest, strong in his love of truth, and confident in the powers of his capacious understanding. His accurate meditations extended into every branch of human knowledge, and he was always profound and original. His whole life had been devoted to improving the condition of his country, generally, indeed, in the ranks of opposition, in the exercise of a duty more advantageous to the public, than to the individual who labours in their cause. His thoughts were conveyed in that burning eloquence, and in those new and vivid expressions, which, while

they hurried away the reader, marked the tempest that was boiling within; and perhaps, in part, accounted for the extreme to which he carried his opinions, and the jealousy and desirion with which he marked the excesses of infant liberty. But his work, with all its faults, was the production of a powerful mind, working in its own sphere; and the madness and cruelty of the detestable men, who soon after gained the ascendancy in France, corresponded so much with the predictions of his heated imagination, that he was lauded by the new friends whose views he favoured less as a keen observer than as a prophet.

The replies to the "Reflections" must have been numerous enough to have gratified the pride of the author. The number of antagonists, who hurried into the ring to break a lance against this mighty champion of existing institutions, proved the estimation in which he was held. The current of opinion, that had been setting in so strongly in favour of the French principles of liberty, dammed up for a moment by such an obstacle, overflowed in a deluge of pamphlets; and each shade of opinion was warmly defended against a common invader. The great majority of these answers fell of course speedily into oblivion. The "Rights of Man" was not so to perish. His strong coarse sense, and bold dogmatism, conveyed in an instinctively popular style, made Paine a dangerous enemy always; but more particularly at a period when the great masses of the middle and lower orders of both countries were to be appealed to. Nor was he occasionally wanting in the more finished graces of illustration and imagery so profusely scattered over the "Reflections."†

While Mr. Burke was receiving the onset of the man who had been his old fellow-soldier in the American contest for freedom, and while the public eye was fixed with curiosity on the numerous combatants, who rushed to take a part in this political warfare, a bolt was shot from amongst the undistinguished crowd, but with a force which showed the vigour of no common arm. The *Vindiciæ Gallicæ* was published in the month of April, 1791. Although the work had been professedly begun some time before, the many distractions of society, encroaching upon the small portion of time which the author could be brought to devote to the manual labour of composition (for in thought he was always busy) had delayed its execution. Events were in the mean time succeeding each other with such rapidity on the scene of action at Paris, that, if there was to be any relation between the argument and the facts as they existed at the moment of publication, there could be no longer delay. It was accordingly finished in a great hurry, of which it bears internal marks. The first part being, as was said, committed to the press before the last was written. Such as it was, it at once placed its author, at the age of little more than twenty-six, in the very first rank of the great party who were upholding in this country the cause of France, which could scarcely at that moment be said to have ceased to be the cause of rational freedom. He was courted and caressed on all hands: his company was eagerly sought for. In short, he was as he expressed it himself, for a few months, "the lion of the place,"—a character, of which the simplicity and modesty of his nature did not very well adapt him to discharge the passive functions, or lead him to wish the prolonged enjoyment.

The sale of the book, in the meantime, exceeded all expectation; and three editions followed one another with great rapidity.‡ It is difficult to convey any idea of the impression

\* Even Mr. Burke himself might have envied the illustration of his own rather too exclusive compassion for the sufferings of the noblesse. "Mr. Burke pities the plumage, but he forgets the dying bird."

† The price originally agreed to be paid was only 30*l.*; but when the demand for it became so great, and the publication turned out so profitable, the publisher, George Robinson, a liberal and excellent man, repeated several times the original amount. The smallness of the price may, perhaps, in part, be accounted for, from the work having been sold before it was written, and from the author himself having an imperfect idea of the extent to which it was to run. His habits of literary composition were rather peculiar. When engaged in any work that required reflection, he was in general impatient of the presence of any person near him, or in the same room. Perhaps, in London, the book would never have been finished. In the comparative quiet of little Ealing, however, while writing, he wished Mrs. M. to remain in the same room with him; but, as the slightest movement, such as writing or working, disturbed him, he asked her to confine herself to silently perusing her book. As he advanced he took pleasure in his work; and, in the evening, by way of recreation, was accustomed to take a walk across the fields, reading to his wife as he went along. Indeed, at every period of his life, when not engaged with company, he was hardly ever to be found without a book in his hand, which he was fond of reading aloud, and commenting upon to his friends.

\* It may interest some to name two contributions to newspapers that certainly were from his pen:—the letters with the signature of "the ghost of Vandeput," and a character of Mirabeau in the *Chronicle*, which concluded with, "who bursting from obscurity and obloquy, seized as his natural situation the first place in the first scene that was ever acted in the theatre of human affairs."



made by this production, considered merely as a confessedly temporary effort, directed to the advancement of a particular end.

"Those who remember," says the eloquent author of the 'Pleasures of Hope,' "the impression that was made by Burke's writings on the then living generation, will recollect that, in the better educated classes of society, there was a general proneness to go with Burke; and it is my sincere opinion, that that proneness would have become universal, if such a mind as Mackintosh's had not presented itself, like a breakwater, to the general springtide of Burkism. I may be reminded that there was such a man as Thomas Paine, and that he strongly answered at the bar of public opinion all the arguments of Burke. I do not deny this fact; and I should be sorry if I could be blind, even with tears, for Mackintosh, in my eyes, to the services that have been rendered to the cause of truth, by the shrewdness and the courage of Thomas Paine. But without disparagement to Paine, in a great and essential view, it must be admitted that, though radically sound in sense, he was deficient in the strategics of philosophy; whilst Mackintosh met Burke, perfectly his equal in the tactics of moral science, and in beauty of style and illustration. Hence Mackintosh went as the apostle of liberalism, among a class, perhaps too influential in society, to whom the manner of Paine was repulsive. Paine had something of a coarse hatred towards Burke. Mackintosh abhorred Burke's principles, but he had a chivalrous admiration of his genius. He could foil him, moreover, at his own weapons. He was logician enough to detect the sophist by the rules of logic, and he turned against Burke, not only popular opinion, but classical and tasteful feelings."<sup>\*</sup>

A fair medium of judgment, as to the abilities displayed in this work, is the singular honour which it enjoyed, of the praise of both Fox and Burke. That of the latter must of course be considered as confined to the execution, and to that liberality of thought, and gentlemanly feeling, that breathed through the whole. The "Vindiciæ Gallicæ," observes his able biographer, "was the production of a more sober inquirer, a scholar, and a gentleman, who could advocate what he thought freedom in others, without madly assailing the foundations of our own."<sup>†</sup>

"An honourable gentleman," said Mr. Fox some time subsequently in the house of commons, "has quoted a most able book on the subject of the French revolution, the work of Mr. Mackintosh; and I rejoice to see that gentleman begin to acknowledge the merits of that eminent writer; and that the impression that it made upon me at the time is now felt and acknowledged, even by those who disputed its authority. The honourable gentleman has quoted Mr. Mackintosh's book, on account of the observation which he made on the article which relates to the French elections. I have not forgotten the sarcasms that were flung out, on my approbation of this celebrated work: that I was told of my 'new library stuffed with the jargon of the Rights of Man.' It now appears, however, that I did not greatly overrate this performance; and that those persons now quote Mr. Mackintosh as an authority, who before treated him with splenetic scorn."

It was no vanity to expect that anything which united these suffrages would survive the occasion which called it forth; and it must be allowed, that though the more immediate object of the work was temporary, the principles discussed, the maxims established, the views of society and of policy, which

formed the groundwork of the whole, were not casual, but, like many, struck out from the mind of his illustrious antagonist, of permanent and universal import.

The form of an essay, indeed, demanded more methodical arrangement, and closer reasoning, than it must be confessed was observed in the "Reflections," the epistolary privileges of which conferred such advantages upon a man of genius over ordinary men. "He can cover the most ignominious retreat by a brilliant allusion. He can parade his arguments with masterly generalship, where they are strong. He can escape from an untenable position into a splendid declamation. He can sap the most impregnable conviction by pathos, and put to flight a host of syllogisms with a sneer. Absolved from the laws of vulgar method, he can advance a group of magnificent horrors to make a breach in our hearts, through which the most undisciplined rabble of arguments may enter in triumph." After observing, that "analysis and method, like the discipline and armour of modern nations, correct, in some measure, the inequalities of controversial dexterity; and level on the intellectual field the giant and the dwarf," Mr. Mackintosh proceeds to analyze the contents of the "Reflections;" and, dismissing what is extraneous and ornamental, to arrange in their natural order those leading questions, the decision of which was indispensable to the point at issue, and his attempts at their just solution. The expediency and necessity of a revolution being first contended for, the conduct of the National Assembly, the first actors in the elaboration of that fearful experiment, is considered, in connexion with all the allowances due to the difficulties of the task in which they were engaged, and vindicated, as far as the result was then manifested in the new constitution of France. The almost necessary adjunct of evil—the popular excesses, which marked the period of the suspension of law, are also considered, and reprobated, but in terms only proportionate to their comparative insignificance, when compared with those which were to follow. The conduct of the English well-wishers of French freedom forms the last topic; "though it is, with rhetorical inversion, first treated by Mr. Burke, as if the propriety of approbation should be determined before the discussion of the merit or demerit of what was approved."

While it was allowed, on all hands, that the work was the production of a mind burning with love of liberty and of mankind, and that it abounded with new and original views of many of the most important questions in politics, amongst nearer observers, perhaps, the subject of highest commendation, was this logical precision, observable through the rich and elegant style in which the arguments were clothed.\*

To return: the author's own opinion, upon reflection, was, nevertheless, that the bustle and political excitement of the moment, and perhaps the heat of literary composition, had led him, in some particulars, to carry this "Defence" farther than the principles of a sound and temperate policy could justify. The hurry with which the work was composed, left him little leisure to review particular passages; and one or two expressions escaped him at variance with his habitual temperance of thought, and which certainly would still less have fallen from his pen, if he could then have foreseen how bright and pure a character was to be revealed, from beneath the tinsel of folly that had too long concealed it, in passing through the fiery ordeal that awaited the unfortunate Marie Antoinette.

The objectionable allusions were cheerfully cancelled in a succeeding edition; in an advertisement prefixed to which he observes—

"I have been accused, by valuable friends, of treating with ungenerous levity the misfortunes of the royal family of France. They will not, however, suppose me capable of deliberately violating the sacredness of misery in a palace or a cottage; and I sincerely lament that I should have been betrayed into expressions which admitted that construction."

The success which attended the publication of the "Vindiciæ Gallicæ," while it confirmed, perhaps unfortunately, a strong previous inclination towards the field of political distinction, must have exceeded his most sanguine expectations, as to the high station which was at once, in consequence of it, accorded to him in the great political party to which he had attached himself. Although his talents must have been,

\* "In Mackintosh I see the sternness of a republican, without his acrimony; and the ardour of a reformer, without his impetuosity. His taste in morals, like that of Mr. Burke's, is equally pure and delicate with his taste in literature. His mind is so comprehensive that generalities cease to be barren; and so vigorous, that detail itself becomes interesting. He introduces every question with perspicuity, states it with precision, and pursues it with easy unaffected method. Sometimes, perhaps, he may amuse his readers with excursions into paradox, but he never bewilders them by flights into romance. His philosophy is far more just and far more amiable than the philosophy of Paine; and his eloquence is only not equal to the eloquence of Burke. He is argumentative without sophistry, and sublime without extravagance."—Parr, sequel to the printed letter.

† If the above estimate of the success of the author should appear to require confirmation, as being tinged with the prejudices arising from community of political feeling, it received such confirmation at the hands of a decided, though candid, political enemy. Mr. Canning, dining one day, *tête-à-tête*, at Bellamy's, with Mr. Sharp, in course of conversation observed, that he had read this work on its coming out "with as much admiration as he had ever felt."

† Prior's Life of Burke, Vol. ii. p. 121.

\* At a meeting of learned judges, which happened shortly after the publication of the book, Lawrence and Le Blanc were praising it warmly. Mr. Justice Rooke remarked it was "very eloquent;" upon which, Lord Chief Justice Willes, who was present, exclaimed, "very eloquent! Yes, indeed, now you say so, I think it is very eloquent; but I was so taken up by the thoughts and the reasoning, that I did not think of the eloquence."

in some degree, previously made known, through his acquaintance with Mr. Horne Tooke, Dr. Parr, and some few others; still the appearance of such a work partook of the nature of a surprise upon the leaders of the party, who, as is usual, lost no time after such indisputable display of ability, and so great a service, in acknowledging the one, and endeavouring to secure a continuance of the other. He became, in consequence, immediately known to Mr. Fox and Mr. Sheridan, and generally to the most eminent Whigs of the day, partaking of their political confidence, as well as occasionally of their private society. As a proof of the consideration in which he was held, upon the formation, in the succeeding year, under the auspices, of those eminent persons, of the celebrated Association of the Friends of the People, he was appointed to the honorary post of its secretary, and was the author, either solely, or in a very principal degree, of their "Declaration," which exercised so powerful an influence over the public feeling of the time. Although this society contained, as from its numbers must have been expected, many professors of extreme and impracticable opinions, its professed objects (the chief being a practical reform of the abuses which had crept into the representative system) were strictly mediatory between the extremes of opinion, which marked that agitated time,—between the "many honest men, who were driven into Toryism by their fears," and the "many sober men, who were driven into Republicanism by their enthusiasm;"—and little of any other spirit had, in point of fact, characterized it, to justify Mr. Pitt's celebrated proclamation, "which, by directing a vague and indiscriminate odium against all political change, confounded, in the same storm of unpopularity, the wildest projects of subversion, and the most measured plans of reform." The sort of semi-official character of Mr. Mackintosh's situation, devolved upon him the duty of defending\* the principles which were their bond of union; on which occasion, the public thanks of the body were given him, for the ability and vigour displayed in its service.

The execution of this work answered every expectation which was formed by one of the most eminent amongst those whose names were enrolled amongst the "Friends of the People." "I do not mean," says the individual alluded to, when acknowledging the receipt of the pamphlet, "to select one part, as better than another; but the reasoning on the probable consequences, either of the failure or success of the French revolution, struck me particularly. I think it admirably made out; and it had not, at least as far as I can recollect, been urged in any of the discussions that have taken place on this subject before. But the whole is powerful and convincing; and I am very sanguine as to the effect it will produce."

An equally favourable opinion was pronounced by another competent judge, a fellow-labourer in the same cause.

"DEAR SIR,—On Saturday I received a parcel, including the retort courteous, and your own excellent pamphlet. I have read it twice with rapture and admiration, and I certainly shall not fail to recommend it earnestly. There is some little additional matter in my Appendix to the second edition of the Sequel; and one would suppose that you and I had been comparing notes, from the marked coincidence of our opinions. But as a moderate man, and as a clerical man, I have not assumed that tone of ardent indignation, that brilliancy of imagery, and that dreadful severity of expostulation, which charm me in every page and every sentence of your book. There is not one single thought to which I object; though I confess to you, that in four or five passages I should have taken the liberty of suggesting a slight, and only a slight, alteration of the words. But there is a grandeur, a masculine nervousness in the whole, which I believe will not permit the greater part of your readers to see the little inaccuracies which I discerned. \* \* \* \* I entreat you, my dear friend, to get into no scrapes abroad.

"Give my best compliments to your lady.

"Believe me, with unfeigned respect, and unalterable regard,

"Your obedient, faithful servant and friend,

S. PARR.

"July 8th, 1792."

The caution which concludes this extract, is in allusion to a journey into France, which Mr. Mackintosh shortly after undertook. Coming from one who knew him well, it testifies

strongly to that frank thoughtlessness of character, which he had as yet scarcely got the better of.

Long before this time affairs in that country had reached the point, at which all, even the most sanguine, must have given up at least any immediate expectation of its political regeneration, as well as sympathy with the actors on the stage; at all events, if any traces of either remained, the massacres of September were at hand to dispel them,—to merge all other feelings into one of poignant regret, that so bright a day-dream of liberty had been so darkly overcast. The state of his own country, indeed, during the few years which immediately followed, was not one of such tranquillity, but that one of an equally excitable temperament as Mr. Mackintosh, and one who was, like him, placed in something of an exposed political situation, as one of the avowed representatives of a large mass of opinion, would have found sufficient food for thought in its situation and prospects. Happily for himself, however, though he never flinched from any consequences of the early expression that had been given to the world, of his unqualified political sentiments, the course of circumstances tended now to withdraw him from such considerations to the contemplation of his own prospects in life. He had, ere this, applied himself, in good earnest, to those preliminary studies, which an engagement in the profession of the law pre-supposes, and had observed the usual routine of a legal instruction. Dry and irksome as must have been, in a more than common degree, the minute and technical details of practice and pleading, to one who had already indulged somewhat in extensive fields of reasoning, he had the good sense to confess and appreciate the necessity and advantage of laying a broad and sure foundation for future eminence in a familiarity with such knowledge. If others have sometimes carried away from their instructor's chambers a more familiar insight into the nicer subtleties of the science of special pleading—a science, the beauty of which he was always prepared to admit—it has been probably to their firmer resolution that they may have been indebted. This quality—the master-key to whatever entrance into the Temple of Fame—was not, as he himself well knew and confessed, in him at any time sufficiently strong to counterbalance the effects of a taste so decided for literature and society; which, with all the pleasures and advantages which are in its train, could not but have at times allured him from the difficult upward path of his arduous profession. Lord Coke must still have been contented with a divided empire over his thoughts. One department of the usual training of a lawyer fell in altogether with his tastes and habits; this was, the attendance at one or the other of those Debating Societies, which are considered as almost necessary schools for the more mechanical parts of the art of public speaking. In one of these, then of great repute, and confined to barristers and members of parliament, into which he was, as soon as he was qualified, introduced, he first made the acquaintance of Mr. Scarlett (now Lord Abinger), and some others, equally distinguished in after life; amongst whom were the late Mr. Perceval and the late Lord Tenterden. On the whole, the three years which intervened before he was called to the bar, were marked, not only by an increasing gravity and dignity of general character, but also by a consistent devotedness to his professional claims, and by industry of a very respectable quality. These increased towards the end of this period. In the summer of 1795, one of his friends, writing to another, mentions that "Mackintosh is gone to Rainsgate, to pursue, in retirement, his legal studies. He is to be called to the bar in November. I hope you equal him in his ardour for professional distinction."

In Michaelmas term, 1795, accordingly, he was called to the Bar by the Society of Lincoln's Inn, and attached himself to the home circuit. He at the same time removed from a house in Charlotte street, Portland Place, which had been his residence for some time, to what he calls, in a note of invitation to the late Mr. Canning, "his black-letter neighbourhood," and took a house in Serle street, Lincoln's Inn. He had now fairly entered upon that path which, when traced by the patient steps of genius and industry, so often tends to wealth and distinction, and evidently enjoyed the satisfaction, which usually accrues from having constantly before our eyes an unvarying object of occupation and pursuit; but exclusively professional occupation is deferred, even under the most favourable circumstances, for a time, during which the tastes and habits of the individual may be commonly expected to be indulged.

Under the somewhat troubled stream, on which his bark had hitherto floated, there had always been an under-current of clear, tranquil enjoyment, which he derived, and continued

\* In "A Letter to the Right Honourable William Pitt. London, 1792."



to do so under all the circumstances of life, from study and literature. The subjects, on which we find his thoughts and his pen employed, were sufficiently remote from those, which seemed to occupy the whole time which he could spare from the calls of his new profession. About this time we find in "the Monthly Review," then the principal repository of the periodical essays of the day, articles from the pen of the author of the *Vindiciæ Gallicæ*, on more tranquil themes; amongst others, on "Gibbon's miscellaneous works," the late Mr. Roscoe's "Life of Lorenzo de Medicis," and Mr. Burke's "Letter to the Duke of Bedford," and also on his "Thoughts on a Regicide Peace."\* This last,† which appeared in the numbers for November and December, 1796, excited much attention; and Mr. Burke soon suspected, and with reason, that the author was no other than his old opponent, upon the former fervour of whose opinions the succession of terrible events in France, which had intervened since their last literary encounter, had not been lost; although he still found his favourite doctrine, "that there was something in the character of the French government inherently dangerous to the peace of all other nations," powerfully impugned, but with the same polite air of personal courtesy and respect. Mr. Burke's very flattering expressions, with regard to the honest candour, as well as the acknowledged powers of mind of his reviewer, were not concealed from the object of them; and the communication led to a correspondence, and what the short remaining period of that great man's life only allows, unfortunately, to be called an acquaintance.

In one of these letters, Mr. Mackintosh, addressing him, observes—"From the earliest moment of reflection your writings were my chief study and delight. The instruction which they contained is endeared to me by being entwined and interwoven with the freshest and liveliest feelings of youth. The enthusiasm with which I once embraced it is now ripened into solid conviction by the experience and meditation of more mature age. For a time, indeed, seduced by the love of what I thought liberty, I ventured to oppose, without ever ceasing to venerate, that writer who had nourished my understanding with the most wholesome principles of political wisdom. I speak to state facts, not to flatter: you are above flattery; and, permit me to say, I am too proud to flatter even you.

"Since that time a melancholy experience has undeceived me on many subjects in which I was then the dupe of my own enthusiasm. I cannot say, (and you would despise me if I dissembled) that I can even now assent to all your opinions on the present politics of Europe. But I can with truth affirm that I subscribe to your general principles, and am prepared to shed my blood in defence of the laws and constitution of my country. Even this much, sir, I should not have said to you, if you had been possessed of power."

To which the following reply was made by the hand of another, the disease, under which Mr. Burke was so soon to sink, already incapacitating him for all such exertion.

*Beaconsfield, Dec. 23, 1796.*

"SIR,—The very obliging letter with which you have honoured me, is well calculated to stir up those remains of vanity that I had hoped had been nearly extinguished in a frame approaching to the dissolution of everything that can feed that passion. But, in truth, it afforded me a more solid and a more sensible consolation. The view of a vigorous mind subduing by its own constitutional force the maladies, which that very force of constitution had produced, is in itself a spectacle very pleasing and very instructive. It is not proper to say anything more about myself, who *have been*, but rather to turn to you who *are*, and who probably will be, and from whom the world is yet to expect a great deal of instruction and a great deal of service. You have begun your opposition by obtaining a great victory over yourself; and it shows how much your own sagacity, operating on your own experience, is capable of adding to your own extraordinary natural talents, and to your early erudition. It was the show of virtue, and the semblance of public happiness, that could alone mislead a mind like yours; and it is a better knowledge of their substance, which alone has put you again in the way that leads the most securely and most certainly to your end.

\* Monthly Review, Vols. 19, 20, 21.

† This publication is the best exposition and defence of Mr. Burke's system on the war with France. The critique on them in the Monthly Review for November and December, 1796, attributed to Sir James Mackintosh (aut. Erasmi aut. Diaboli,) is the ablest exposition of the opposite system of Mr. Fox.—"Reminiscences of Charles Butler," i. 172.

As it is on all hands allowed that you were the most able advocate of the cause which you supported, your sacrifice to truth and mature reflection adds much to your glory. For my own part (if that were anything) I am infinitely more pleased to find that you agree with me in several capital points, than surprised to find that I have the misfortune to differ with you on some. When I myself differ with persons I so much respect, of all names and parties, it is but just (indeed it costs me nothing to do it) that I should bear in others that disagreement in sentiment and opinions, which at any rate is so natural, and which, perhaps, arises from a better view of things.

Though I see very few persons, and have, since my misfortune,\* studiously declined all new acquaintances, and never dine out of my own family, nor live at all in any of my usual societies, not even in those with which I was most closely connected, I shall certainly be as happy, as I shall feel myself honoured by a visit from a distinguished person like you, whom I shall consider as an exception to my rule. I have no habitation in London, nor ever go to that place but with great reluctance, and without suffering a great deal. Nothing but necessity calls me thither; but though I hardly dare to ask you to come so far, whenever it may suit you to visit this abode of sickness and infirmity, I shall be glad to see you. I don't know whether my friend, Dr. Lawrence,† and you have the happiness of being acquainted with each other; if not, I could wish it to be brought about. You might come together, and this might secure to you some entertainment; as my infirmity, that leaves me but a few easy hours in my best days, will not afford me the means of giving you any of those attentions that are your due.

"I have the honour to be,

"With great respect and regard,

"Your most obedient,

"And very much obliged humble servant,

EDMUND BURKE."

The visit to Beaconsfield, which immediately followed, was, probably on account of the infirm state of Mr. Burke's health, confined to a few days; but they were days which his visitor often recalled to memory as amongst the most interesting of his life. General respect for Mr. Burke's character and talents he had always felt and expressed; these were now merged into something of a feeling of affection towards the man. There unfortunately remains no memorial of this meeting, offered by the Hannibal of political wisdom to his youthful competitor after their warfare. Thoughts worthy of record must have been struck out by the collision of such minds, so differently circumstanced. The younger, who had the world all before him, disappointed in his lofty expectations, still with the buoyancy of spirit natural to youth clinging to hope, though with less confidence than heretofore—the elder going down to his place of rest, while the darkness all round the horizon only confirmed his foreboding—whilst a generous confidence in enlarged principles, and an ardent desire for the future happiness of the race, were common to both.

A few shreds of Mr. Burke's conversation have been, however, preserved. The following is an extract from the diary of a lover of literature.‡

["June 13th, 1799. Had a long and interesting conversation with Mr. Mackintosh, turning principally on Burke and Fox. Of Burke he spoke with rapture, declaring that he was, in his estimation, without any parallel, in any age or country, except, perhaps, Lord Bacon and Cicero; that his works contained an ampler store of political and moral wisdom than could be found in any other writer whatever; and that he was only not esteemed the most severe and sagacious of reasoners, because he was the most eloquent of men, the perpetual force and vigour of his arguments being hid from vulgar observation by the dazzling glories in which they were enshrined. In taste alone he thought him deficient; but to have possessed that quality in addition to his other, would have been too much

\* The loss of his son.

† "I forgot to speak to you about Mackintosh's supposed conversion. I suspect, by his letter, that it does not extend beyond the interior politics of this island; but that with regard to France and many other countries, he remains as frank a Jacobin as ever. This conversion is none at all; but we must nurse up these nothings, and think these negative advantages as we can have them; such as he is, I shall not be displeased if you bring him down; bad as he may be, he has not yet declared war, along with his poor friend Wilde, against the Pope."—*Burke to Dr. Lawrence.*

‡ Now generally known to be the late Thomas Green, Esq. of Ipswich.

for man.—Passed the last Christmas [of Mr. Burke's life] with Burke at Beaconsfield, and described, in glowing terms, the astonishing effusions of his mind in conversation: perfectly free from all taint of affectation; would enter, with cordial glee, into the sports of children, rolling about with them on the carpet, and pouring out, in his gambols, the sublimest images, mingled with the most wretched puns.—Anticipated his approaching dissolution with due solemnity but perfect composure;—minutely and accurately informed, to a wonderful exactness, with respect to every fact relative to the French Revolution. Burke said of Fox, with a deep sigh, 'He is made to be loved.' Fox said of Burke, that Mackintosh would have praised him too highly, had that been possible, but that it was not in the power of man to do justice to his various and transcendent merits;—declared he would set his hand to every part of the 'Preliminary Discourse on the Law of Nature and Nations,' except the account of Liberty, a subject which he considered as purely practical, and incapable of strict definition.

"Of Gibbon, Mackintosh neatly remarked, that he might have been cut out of a corner of Burke's mind without his missing it.—Spoke highly of Johnson's prompt and vigorous powers in conversation; and, on this ground, of Boswell's 'Life' of him. Burke, he said, agreed with him, and affirmed that this work was a greater monument to Johnson's fame, than all his writings put together.—Condemned democracy as the most monstrous of all governments, because it is impossible at once to act and to control, and, consequently, the sovereign power, in such a constitution, must be left without any check whatever;—regarded that form of government as best, which placed the efficient sovereignty in the hands of the natural aristocracy of a country, subjecting them, in its exercise, to the control of the people at large.—Descanted largely in praise of our plan of representation, by which, uncouth and anomalous as it may in many instances appear, and indeed, on that very account, such various and diversified interests became proxied in the house of commons.\* Our democracy, he acutely remarked, was powerful, but concealed, to prevent popular violence; our monarchy, prominent and ostensible, to provoke perpetual jealousy. Extolled, in warm terms—which he thought, as a foreigner (a Scotchman), he might do without the imputation of partiality, for he did not mean to include his own countrymen in the praise—the characteristic *bon naturel*—the good temper and sound sense of the English people; qualities, in which he deliberately thought us without a rival in any other nation on the globe.—Strongly defended Burke's paradoxical position, that vice loses its malignity with its grossness,† on the principle, that all disguise is a limitation upon vice.—Stated, with much earnestness, that the grand object of his political labours should be, first and above all, to extinguish a false, wretched, and fanatical philosophy, which, if we did not destroy, would assuredly destroy us, and then to revive and rekindle that ancient genuine spirit of British liberty, which an alarm, partly just, and partly abused, had smothered for the present; but which, combined with a providential succession of fortunate occurrences, had rendered us, in better times, incomparably the freest, wisest, and happiest nation under heaven."

"[Talking of the anti-moral paradoxes of certain philosophers of the new school, he (Burke) observed, with indignation, 'They deserve no refutation but those of the common hangman, *'carnifice potius quam argumentis egent.'* Their arguments are, at best, miserable logomachies, base prostitutions of the gifts of reason and discourse, which God gave to man for the purpose of exalting, not brutalizing his species. The wretches have not the doubtful merit of sincerity; for, if they really believed what they published, we should know how to work with them, by treating them as lunatics. No, sir, these opinions are put forth in the shape of books, for the sordid purpose of deriving a paltry gain from the natural fondness of mankind for pernicious novelties. As to the opinions themselves, they are those of pure defecated Atheism. Their object is to corrupt all that is good in man—to eradicate his immortal soul—to dethrone God from the universe. They are the brood of that putrid carcass, that mother of all evil, the French Revolution. I never think of that plague-spot in the history of mankind, without shuddering. It is an evil spirit that is always before me. There is not a mischief, by which the moral world can be afflicted, that it has not let loose upon it. It reminds me of the accursed things that crawled in and out of the mouth of the vile hag in Spenser's Cave of

Error. Here he repeated that sublime but nauseous stanza. You, Mr. Mackintosh, are in vigorous manhood; your intellect is in its freshest prime, and you are a powerful writer; you shall be the faithful knight of the romance; the brightness of your sword will flash destruction on the filthy progeny.'

"The conversation turning upon the late Mr. William Burke, Mr. B. continued: 'You, Mr. Mackintosh, knew my departed son well. He was, in all respects, a finished man, a scholar, a philosopher, a gentleman, and, with a little practice, he would have become a consummate statesman. All the graces of the heart, all the endowments of the mind, were his in perfection. But human sorrowing is too limited, too hedged in by the interruptions of society, and the calls of life, for the greatness of such a loss. I could almost exclaim with Cornelia, when she bewailed Pompey, (you know that fine passage in Lucan) *'Turpe mori post te solo non posse dolore.'*"

The shadows of sickness were meanwhile falling on Mr. Mackintosh's own home; and, soon after his return from Beaconsfield, his affections were tried by the severest domestic calamity that could befall them. While slowly recovering from the birth of a child, Mrs. Mackintosh was attacked by a fever, to which she soon fell a victim, leaving three daughters.† The amount of his loss, and his immediate feelings upon it, will be best seen from the following extract from a letter to Dr. Parr, written while the infliction was still recent, dated Brighton, April, 1797.

"I use the first moment of composure to return my thanks to you for having thought of me in my affliction. It was impossible for you to know the bitterness of that affliction, for I myself scarcely knew the greatness of my calamity till it had fallen upon me; nor did I know the acuteness of my own feelings till they had been subjected to this trial. Alas! it is only now that I feel the value of what I have lost. In this state of deep, but quiet melancholy, which has succeeded to the first violent agitations of my sorrow, my greatest pleasure is to look back with gratitude and pious affection on the memory of my beloved wife, and my chief consolation is the soothing recollection of her virtues. Allow me in justice to her memory to tell you what she was, and what I owed her. I was guided in my choice only by the blind affection of my youth. I found an intelligent companion, and a tender friend, a prudent mistress, the most faithful of wives, and a mother as tender as children ever had the misfortune to lose. I met a woman who, by the tender management of my weaknesses, gradually corrected the most pernicious of them. She became prudent from affection; and though of the most generous nature, she was taught economy and frugality by her love for me. During the most critical period of my life, she preserved order in my affairs, from the care of which she relieved me. She gently reclaimed me from dissipation; she propped my weak and irresolute nature; she urged my indolence to all the exertions that have been useful or creditable to me, and she was perpetually at hand to admonish my heedlessness and improvidence. To her I owe whatever I am; to her whatever I shall be. In her solicitude for my interest, she never for a moment forgot my feelings, or my character. Even in her occasional resentment, for which I but too often gave her cause (would to God I could recall those moments,) she had no sullessness or acrimony. Her feelings were warm and impetuous, but she was placable, tender, and constant. Such was she whom I have lost; and I have lost her when her excellent natural sense was rapidly improving, after eight years of struggle and distress had bound us fast together, and moulded our tempers to each other,—when a knowledge of her worth had

\* Clubs of London, vol. ii. 271.

† Mrs. Mackintosh died April 8. The following inscription appears on her monument in the Church of St. Clement Danes. It was from the classical pen of Dr. Parr.

CATHARINÆ · MACKINTOSH,  
FEMINÆ · PUDICÆ · FRUGI · PLÆ,  
MATRIFAMILIAS  
VIRI · TRIUMQUE · FILIARUM,  
QUOS · SUPERSTITES · SUI · RELIQUIT  
AMANTISSIMÆ  
VIXIT · ANN · XXXII · MENS · XI · DIES · XII.  
DECESSIT · SEXTO · ID · APRIL · ANNO · SACRO,  
M.DCC.XCVII.  
JACOBUS MACKINTOSH,  
H. M. CON. B. M. F.  
SPERANS · HAUD · LONGUINQUEM  
INTER · SE · ET · CATHARINAM · SUAM  
DIGRESSUM · FORE  
SIQUIDEM · VITAM · NOBIS · COMMORANDI · DIVERSORIUM  
NON · HABITANDI  
DEUS · IMMORTALIS · DEDIT.

\* This, it is scarcely necessary to remark, was then the orthodox opinion of almost all parties in Parliament.

† Quoted rather too broadly, "under which (sensitivity of principle) vice itself lost half its evil, by losing all its grossness."



refined my youthful love into friendship, before age had deprived it of much of its original ardour,—I lost her, alas! (the choice of my youth, and the partner of my misfortunes) at a moment when I had the prospect of her sharing my better days.

"This is, my dear sir, a calamity which the prosperities of the world cannot repair. To expect that anything on this side the grave can make it up, would be vain and delusive expectation. If I had lost the giddy and thoughtless companion of prosperity, the world could easily repair the loss; but I have lost the faithful and tender partner of my misfortunes, and my only consolation is in that Being, under whose severe but paternal chastisement I am bent down to the ground.

"The philosophy which I have learnt, only teaches me that virtue and friendship are the greatest of human blessings, and that their loss is irreparable. It aggravates my calamity, instead of consoling me under it. My wounded heart seeks another consolation. Governed by these feelings, which have in every age and region of the world actuated the human mind, I seek relief, and I find it in the soothing hope and consolatory opinion, that a Benevolent Wisdom inflicts the chastisement, as well as bestows the enjoyments of human life; that superintending goodness will one day enlighten the darkness which surrounds our nature, and hangs over our prospects; that this dreary and wretched life is not the whole of man; that an animal so sagacious and provident, and capable of such proficiency in science and virtue is not like the beasts that perish; that there is a dwelling-place prepared for the spirits of the just, and that the ways of God will yet be vindicated to man. The sentiments of religion which were implanted in my mind in my early youth, and which were revived by the awful scenes which I have seen passing before my eyes in the world, are, I trust deeply rooted in my heart by this great calamity. I shall not offend your rational piety by saying that modes and opinions appear to me matters of secondary importance, but I can sincerely declare, that Christianity, in its genuine purity and spirit, appears to me the most amiable and venerable of all the forms in which the homage of man has ever been offered to the Author of his being."

### CHAPTER III.

Lectures on the Law of Nature and Nations—Publication of an introductory discourse—Criticisms of Mr. Pitt.—Lord Loughborough—Dr. Parr—Letter to Mr Moore—Mr. Sharpe.

THE science of public or international law,—a study so congenial to the generalizing and philosophical turn of Mr. Mackintosh's thoughts,—was a department of jurisprudence, which had long peculiarly attracted his attention. His mind, in all its investigations, loved to rise to general principles. Circumscribed as it ordinarily was by the studies and profession of an individual system of municipal law, with all its necessary technicalities, it the more eagerly sought to relieve itself by making excursions on every side, especially for the purpose of examining those principles which lie at the foundation of all duty, and are equally applicable to all its forms. Though the study of natural law and its deductions forms a part of the continental system of education, and even of that of Scotland still, in such inquiries, no assistance could be received from that course of study which is pointed out to the student of English law. This seemed to him to be a defect, and he believed that he should be conferring a benefit on the liberal profession to which he belonged, could he enable such as devoted themselves to it to extend their views of jurisprudence, and its objects, (especially of its origin and foundation, and its application to the interests and differences of independent states) to a wider range than is generally taken by the mere English student. These considerations led him to form the plan of his "Lectures on the Law of Nature and Nations."

To the difficulties attending such a novel attempt were added others of a personal, or temporary kind. In England lawyers have been reproached with an inveterate jealousy of any semblance of innovation; never, perhaps, more justly than at that period. Some were alarmed at the idea of lectures on the principles of law (necessarily involving, in a certain degree, the principles of politics) being delivered by the author of some of the sentiments of the "Vindiciæ Gallicæ." To quiet this alarm, which would have been fatal to his views, and to indicate precisely his plan, and the manner in which it

was his intention to treat it, he published an "Introductory Discourse," which met with instant and brilliant success. It was read and applauded by men of all parties. Lord Loughborough, then Lord Chancellor, spoke loudly in its praise.\* The Benchers of Lincoln's Inn, after a little demur on the part of one or two of the more elderly, which the chancellor's opinion assisted in overcoming, conceded the use of their hall for the delivery of the lectures, and gave by this liberal permission all the moral sanction which their influence could bestow. This opening lecture exhibits the general scope of the undertaking, and unfolds with great clearness the feelings under which it was commenced.

"I have always been unwilling to waste in unprofitable inactivity that leisure which the first years of my profession usually allow, and which diligent men, even with moderate talents, might often employ in a manner neither discreditable to themselves, nor wholly useless to others. Being thus desirous that my own leisure should not be consumed in sloth, I anxiously looked about for some way of filling it up, which might enable me, according to the measure of my humble abilities, to contribute somewhat to general usefulness. It appeared to me that a Course of Lectures on a science closely connected with all liberal professional studies, and which had long been the subject of my own reading and reflection, might not only prove a most useful introduction to the law of England, but might also become an interesting part of general studies."

After an elegant vindication of the term "Law of Nature," and a review of the works of the different masters of the science exhibiting its progress, in which there appears a character of Grotius, worthy his genius and virtue, the vast subject is marked out into six great divisions.

1. An analysis of the nature and operations of the human mind, as the medium through which all knowledge passes, naturally precedes every thing. After dismissing the selfish system, the distinction is drawn which allots its proper place to utility as a test of, and not a motive to, virtuous actions, and the fundamental principles of morality are defended against "the brood of abominable and pestilential paradoxes," which were then assailing them.

2. The relative duties of private life follow, arising almost all from the two great institutions of property and marriage,† in which an endeavour is made "to strengthen some parts of the fortifications of morality which have hitherto been neglected, only because no man had ever been hardy enough to attack them."

3. He proposed next to consider men under the relation of subject and sovereign, citizen and magistrate, the foundation of political liberty and political rights; he placed the duties that arise therefrom, "not upon supposed compacts, which are altogether chimerical," but upon the solid basis of general convenience. Here, in the consideration of government in the abstract, occurs that definition of liberty, in which he makes it a security against wrong; a definition in which he had the misfortune to differ both from Mr. Fox and Mr. Burke, who thought it a matter purely practical, and incapable of definition. Liberty is, therefore, the subject of all governments. "Men are more free under every government, even the most imperfect, than they would be if it were possible for them to exist without any government at all. They are more secure from wrong, more undisturbed in the exercise of their natural powers, and therefore more free, even in the most obvious and grossest sense of the word, than if they were altogether unprotected against injury from each other." This, the political part of his subject, he concluded with a view of the English constitution.

The municipal law, civil and criminal, forms the 4th division, which he proposed to exemplify by the progress of the two greatest codes that ever had been formed—those of Rome and England. The whole system of natural jurisprudence having been gone through, there remains,

5. The law of nations, strictly and properly so called, or the science which regulates the application of the dictates and

\* Mr. Canning, aware of the political prejudices which were entertained in the ministerial circles with which he was connected, exerted his influence with the utmost zeal and success to remove those unfavourable apprehensions.

† Lord Kenyon, in a charge about this time to a jury, in an action for a breach of promise of marriage, observed, that "all moralists had stated the great importance and peculiar sacredness of that subject, from the earliest writers down to a gentleman who was from day to day informing the world by lectures, which he had heard were most admirable, and whose prospectus he had read with infinite pleasure."

sanctions of individual morality to the great commonwealth of nations, and in which the great laws of nature being reflected, govern the moral equally with the physical world.

6. As, from the complicated intercourse between nations in late times, the perfect and natural obligations have been much modified, where not superseded by positive treaties, "a survey of the diplomatic and conventional law of Europe, containing the principal stipulations of those treaties, and the means of giving effect to rights arising out of them, forming the really practical part of the law of nations, concludes the whole."

No sooner did the pamphlet issue from the press, than commendations of the undertaking poured in upon him from every quarter. Mr. Pitt's opinion was highly flattering: January 3rd, 1799. "I cannot refuse myself the satisfaction of assuring you, that the plan that you have marked out, appears to me to promise more useful instruction and just reasoning on the principles of government, than I have ever met with in any treatise on that subject. The manner in which that preliminary part is executed, leaves me no doubt that the whole work will prove an equally valuable acquisition in literature and politics."

"A lecture in the spirit of that discourse," writes Lord Loughborough, "would at all times be of great utility, and of much ornament to the profession of the law. In times like the present, it is capable of rendering great service to the cause of religion, morality, and civil policy."

A copy of the discourse had probably been sent to Dr. Parr, whose reply, at once amusing and characteristic, shows the degree of familiarity which had sprung out of mutual tastes and pursuits.

"DEAR JEMMY.—On Thursday morning a learned and sensible man called upon me, and, with raptures, I put the pamphlet into his hand. \* \* Now comes a secret. A most abominable imputation of Jacobinism lately induced me to prepare for the press a most animated letter. I defy you, and I defy Burke and Johnson, with all the advantages they have gained in another life, to go beyond one passage which I have written; and before I write so well again, the darkness of death will overshadow me. Oh, Jemmy! how would you puff over your two hands, and pull down your waistcoat, and forget all the meanness and all the malignity of rivalry, and say, as I myself say, of what I myself have written in this one passage—that it seldom has been equalled, and never has been surpassed. Mackintosh, if there is upon earth a man who is anxious for your fame, I am that man—not exclusively, but equal with all other men, and even myself. Oh, Scotchman! can I do more than this? Jemmy, I will look at my old musty folios in the library; I will look out the passage in Aristotle, and will do anything you wish, you dog. I have something to tell you about the simplification of principles, or rather the simpleton-jargon about R-r-r-eason, and let us do the business well. I don't mean us, but you; and, you dog, nobody can do it better; nobody, I say—not Hume, not Adam Smith; not Burke, not Dugald Stuart; and the only exception I can think of is Lord Bacon. Yet, you dog, I hate you, for you want decision. \* \* Oh, Jemmy! feel your own powers; assert your dignity: out upon vanity, and cherish pride. \* \* I shall return to eat a good dinner, with good company; and, you dog, I wish you were here to quaff my good port, and scent my good tobacco.

"Farewell!

"S. PARR.

"What do you mean by talking about petty critics? Jemmy, don't affect this nonsense.

"The favourite passages of one, certainly not a petty critic, were, 'the Critiques on Grotius and Montesquieu,' and the whole of the third division, on the relation of citizen and magistrate. The last is a very masterly piece of exposition."

But, to pass from individual opinion, the almost universal estimate of the merit of this "Discourse," and of the powers of mind which displayed themselves in parts, would appear amply to justify the vivid illustration of Campbell. "If Mackintosh had published nothing else than his 'Discourse on the Law of Nature and Nations,' he would have left a perfect monument of his intellectual strength and symmetry; and even supposing that that essay had been recovered, only imperfect and mutilated; if but a score of its consecutive sentences could be shown, they would bear a testimony to his genius, as decided as the bust of Theseus bears to Grecian art among the Elgin marbles."

This course, which began in February, and continued till

June 24th, 1799, occupied thirty-nine lectures, and was repeated, with some variations, the following year, part of the intervening autumn being spent at Cambridge, for the purpose of consulting, in the course of further researches, some works in the noble libraries of that place.

The novelty of the undertaking, the acknowledged abilities of the author, and his early fame, acquired by the powerful support of opinions, which it was known that the course of public events had induced him to modify, threw an interest over the execution of the design, which daily filled the hall of Lincoln's Inn with an auditory such as never before was seen on a similar occasion. All classes were there represented—lawyers, members of Parliament, men of letters, and country gentlemen, crowded to hear him.

On looking abroad over the Continent, the moment seemed to be well-timed for a public appeal in behalf of laws which regulate the rights and intercourse of nations, in the only country where the voice of reason could be heard amid the storm of conquest, which, after the hollow peace of Campo Formio, was again too successfully to be directed against all recognized rights by him, who had fitly succeeded to the "iron crown." The practical nature of much of the knowledge conveyed, and the mode in which the stores of the great continental jurists were made available for more superficial politicians to apply to the present posture of the country, accounted for the presence of many who were able, in different spheres of public exertion, to carry into practice the dictates of justice and freedom, which they there heard so eloquently explained, and ardently enforced; while all seemed to recognize, as the lecturer was tracing out through their mighty maze the minutest paths of private duty, the affectionate earnestness of a domestic instructor.\*

His own account of the composition of his audience, and of some of the difficulties which he experienced in the execution of his plan, is contained in a letter to his friend, G. Moore, Esq. of Moore Hall, in the County Mayo, Ireland, April 25th, 1799. The following is an extract. "When I confess that indolence has been the cause of my late silence, it is not because I want other pretexts: my lectures might serve me well for that purpose. I trusted more than I ought to have done to my general habits of reflection on the subject. When I came to the execution of my plan, I found it more toilsome than I imagined. I have, however, on the whole, been more successful than I had any right to expect. The number of my pupils amounted to about one hundred and fifty, among whom are six peers, a dozen members of the House of Commons, not one of either sort from my own friends in opposition, except Lord Holland and Brodgen. I own this piqued me not a little; but I owe duties to my own character, which their ingratitude shall not provoke me to violate. The other party have shown great patronage of the undertaking. Grant, Lord Minto, S. Douglas, Canning, &c. have attended most of them regularly. I was obliged to suspend the lectures by the assizes and quarter sessions: before that interruption, I had gone through, in six lectures, the general philosophy of human nature and morality. On Monday, the 8th April, I resume the lectures on the great questions of property and marriage. On both these subjects I really find very scanty assistance in the works of the best writers. As to publication, that is a matter which, if it ever takes place, must wait a long time; several years will be necessary to digest and improve the work; and before it can be finished, perhaps even this last asylum of civilization (for it would be trifling now to speak of liberty) will be invaded by the spoilers of the world. The report of the day is, that Jourdan has again been beaten by his old conqueror, the arch-duke. God grant that it may be so. But you know that I am a very desponding politician.

It would be vain, in the narrow limits assigned to these pages, to attempt to give any idea of the minuter divisions of the extensive subjects which he treated, or the wide range of knowledge and talent by which it was illustrated. His aim was to draw, from the armoury of Philosophy herself, weapons, wherewith to repel a phantom that had assumed her name. In executing these intentions, the ardour of extempore composition may at times have hurried him beyond the line which he had laid down to himself, and given to individuals, whom he respected, some cause to complain. But a certain

\* One day, when hurrying to the Hall, he was detained by rendering assistance to a man who had fallen down in a fit in the street. Upon arriving in the room, he found that the audience had been kept waiting some time for him. He apologized to them, and mentioned the cause of his delay, adding, "After all, gentlemen, practice is better than precept."



unmeasured wildness, which had infested the moral reasonings of the period, naturally led to some such excess in the combatant who attacked them. That such had been the case in one instance—in his Observations on the Principles of the Author of the celebrated Political Justice—he himself, as will be seen, with the candour that so pre-eminently distinguished him, afterwards acknowledged.

It is well known that the general tenor of these lectures, but, perhaps, still more the support ostentatiously given to them by the ministers of the day, and their connexions, had a tendency to alienate from him several of his old political friends. That the tone of these lectures was different from that of the "Vindiciæ Gallicæ," and of his "Letters to Mr. Pitt," cannot be denied. The latter were the production of a generous young man, animated by the hopes of a great political and moral revolution and reformation in human affairs. The glorious cause in which he then contended, had yet been deformed by few excesses; and these, apparently, casual and transitory. A bright career of happiness seemed to be then opening on the world—an expectation likely to excite minds in proportion as they were themselves consciously noble and virtuous—few of which kind, indeed, at that time there were, whose moral vision was not somewhat dazzled and bewildered by the sight of

"the banner bright that was unfurled  
Before them suddenly."

Seven eventful years had changed the scene; France had been deluged with blood, and Europe overrun by hostile armies. Very wild and irrational opinions, some of them destructive of the very foundation of civil society, had, in pretty extensive classes, gained considerable currency. The friends of liberty, though unshaken in their final hopes, saw the wished-for termination removed to a great, and a very uncertain distance. The difficulty now was, not to give an impulse to the torpor of political indifference, but to check the madness of wild and irrational projects of change. Men of feeling turned away from the abused name of liberty, which they were almost tempted to abjure. Men of firmer minds, while they regretted what they could not prevent, still cherished the fire of genuine freedom, kept it alive for better times, and turned their exertions, on the one hand, to moderate the intemperance of those who called themselves lovers of freedom; and, on the other, to sustain the assaults which they believed to be directed against its very existence, by the alarms and terrors of those in power.

Mr. Mackintosh, as he had been one of the first to hail the rise of liberty in Europe, was also among those who felt first and most acutely the momentary disappointment of the glorious hopes which had been excited. Without diminishing one iota of his love of freedom, he felt early a melancholy change in the hopes of seeing it established so quickly and so purely as he had once anticipated. He was too honest and impartial not to acknowledge this change in his feelings. It had now for some years influenced his conversation; and when he resolved to give his lectures on the subject of law, he naturally directed the force of his observations, rather against the errors which he regarded as the dangerous evils of the time, than in favour of those principles of liberty, of which he had formerly been the successful advocate.

No narration, however, of the gradual change which his political sentiments had undergone, and which he had thus unreservedly announced, can be so satisfactory, as one which is conveyed in the following extract of a letter to Mr. Sharp, —a friend whose good opinion he always considered a sufficient counterbalance to almost any amount of general misrepresentation—written at Bombay some time afterwards, [December 9, 1804,] when he found the misconception to which the exercise of the right of reviewing his opinions, as a philosopher, had exposed him. Prefixed to it is only a summary, in his own words, of what he conceived to be the errors of both parties, so far as they arose from error of judgment. "The opposition mistook the moral character of the revolution; the ministers mistook its force: and both parties, from pique, resentment, pride, habit, and obstinacy, persisted in acting on these mistakes after they were disabused by experience. Mr. Burke alone avoided both these fatal mistakes. He saw both the malignity and the strength of the revolution. But where there was wisdom to discover the truth, there was not power, and perhaps there was not practical skill, to make that wisdom available for the salvation of Europe—*Dis aliter visum!*"

"My fortune has been in some respects very singular. I have lately read the lives, and private correspondence of some of the most memorable men in different countries of Europe,

who are lately dead. Klopstock, Kant, Lavater, Alfieri—they were all filled with joy and hope by the French revolution—they clung to it for a longer or shorter time—they were all compelled to relinquish their illusions. The disappointment of all was bitter, but it showed itself in various modes, according to the variety of their characters. The series of passions growing out of that disappointment was the not very remote cause of the death of Lavater. In the midst of society Alfieri buried himself in misanthropic solitude; and the shock, which awakened him from the dreams of enthusiasm, darkened and shortened his days. In the mean time the multitude,—comprehending not only those who have neither ardour of sensibility, nor compass of understanding to give weight to their suffrage, but those, also, whom accident had not brought into close and perpetual contact with the events,—were insensibly detached from the revolution; and before they were well aware that they had quitted their old position, they found themselves at the antipodes. As they moved in a body, they were not conscious of moving at all. They thought themselves in the same place, because they were in the same company. Their place was unchanged relatively to each other. The same names, the same colours, the same order of battle, the same camp in one sense seemed to be the same camp in every other. Unfortunately for me I was neither in the one nor the other class. I do not speak of the genius of the persons I have named, all pretension to which it would be arrogance in me even to disclaim. I speak merely of their enviable privilege, as private men of letters, to listen to the dictates of experience, and to change their opinions without any other penalty, than the disappointment of their own too sanguine hopes. This privilege was not mine.

"Filled with enthusiasm, in very early youth, by the promise of a better order of society, I most unwarily ventured on publication, when my judgment and taste were equally immature. It is the nature of a political publication, in a free country, to associate the author, however obscurely and humbly, with practical politics. He will generally be more sure to feel the restraints than the advantages of the connexion. However little he may be aware of it, he is in a new world. He has left the world where truth and falsehood were the great objects of desire and aversion, and come into that where convenience and mischief are the grand contending powers. Opinions are no longer considered but as their prevalence will forward or defeat measures; and measures neither can be, nor ought to be, separated from the men, who are to execute them. But in the changing state of human affairs, the man who is constant to his opinions will be sometimes thought inconsistent in his politics. Now leaders of parties, and men of the world in general, regard practical pursuits as of such paramount importance, and mere opinions as so flimsy and frivolous, that they can hardly believe in the sincerity of the poor speculator, who has not quite thrown off his scholastic habits. This disposition is in general useful, for measures and not opinions are their business; and a man will do more good by overvaluing his own objects, (without which he will commonly not pursue them ardently enough,) than he can do harm by undervaluing and unjustly depreciating the objects of others. But it has a hard operation on the unfortunate speculator, who is very apt to be suspected of insincerity from a mere fanatical excess of that zeal for what appears to him to be truth, which is a sort of honesty.

"I brought this disposition with me into that narrow and dark corner of the political world, where my activity was exerted. At the same time warm personal attachments, I might almost call them affections, which I had felt from my youth, which I thought, and still think, upon strict principles of reason to be necessary parts of all practical politics in a free state, blended themselves with mine. Those only who had irrevocably attached their early hopes, their little reputation, which they might be pardoned for exaggerating, and even, as they conceived, their moral character, to the success or failure of the French revolution, can conceive the succession of feelings, most of them very painful, which agitated my mind during its progress. They alone knew my feelings from whom no sentiments of mine could be concealed. The witnesses of my emotion on the murder of General Dillon—on the 10th of August—on the massacre of the prisons—on the death of the king, are now no more. But the memory of what it is no hyperbole to call my sufferings, is at this instant fresh. As often as I call to mind these proofs of deep and most unaffected interest in the fortunes of mankind, the indignation, the grief, the shame, which were not on my lips, but at the bottom of my heart, I feel an assured confidence of my own honesty of which no calumniator shall ever rob me.

"The revolution continued so much to occupy my thoughts,

that I could not help constantly exercising my judgment on it. I could not forget it, nor shut my eyes on its events. It had grown to such a size, in my conception, that I could not quite consider it in that subordination to domestic politics which was natural to those who had great objects of domestic ambition. My mind was so fixed on it, that I could not but be most distinctly conscious of every modification that my opinions respecting it underwent. My changes were slow, and were still more slowly avowed. But they were not insensible, and I could not hope to persuade myself that I remained unchanged. I was restrained from making these changes known, by the common motives, good, bad, and indifferent, which act in these cases. My situation was too private to give me many opportunities of doing so. The attachments of party, which I consider as justifiable on principle, restrained me also very considerably. Like most other men, I was not very fond of owning that I had been mistaken, or of contradicting the opinion of those with whom I lived, or of adopting any part of the doctrines of those, whom I had been accustomed to oppose. Still less was I willing to incur the lash of that vulgar propensity in human nature, which refers everything to plain and gross motives. I often reproached myself for being prevented from speaking, as I thought, by false honour and false shame. I sometimes lamented the peculiarities of my condition, which seemed to make concealment a virtue. But on reviewing these things calmly, I find no fault in general with the state of things which makes the avowal of supposed political error a difficult act. I do not complain of the laws of nature, nor do I wish the moral order of society changed for my convenience. In general, I think, these impediments have a beneficial tendency, as a prevention of levity, and an antidote to corruption, and as rendering deliberation more probable, before an opinion is either adopted or abandoned.

"You, I know, will bear with me when I speak with some particularity of things important only to myself. My lectures gave me an opportunity of speaking my opinion. I have examined myself pretty severely with respect to the manner, in which I availed myself of that opportunity. As the adherent of a party, (for such I professed myself to be, and as such, therefore, my conduct may doubtless be tried,) I cannot, on the most rigorous scrutiny, find the least reason for blame. Personal attachment, as well as general (though not undistinguishing) preference of the same party, to whom I had from childhood been attached, secured me perfectly from any intentional, and from any considerable deviation.

"As a political philosopher I will not say that I now entirely approve the very shades and tones of political doctrine which distinguished these lectures. I can easily see that I rebounded from my original opinions too far towards the opposite extreme. I was carried too far by anxiety to atone for my former errors. In opposing revolutionary principles, the natural heat of controversy led to excess. It was very difficult to preserve the calm scientific temper of academical lectures, for a person agitated by so many feelings, in the year of the conquest of Switzerland, in the heart of London, to an audience, the very appearance of many among whom was sufficient to suggest trains of thought unfavourable to perfect impartiality, and, indeed, to rekindle many of the passions of active political contest. I will not affect to say that I preserved it. The exaggeration incident to all popular speaking, certainly affected even those statements of general principles which ought to have been the most anxiously preserved from its influence.

"But is this confession very important? Have I stated anything more than a part of those inevitable frailties for which allowance is always made by rational men, and which are always understood whether they be enumerated or not? At this moment, it is true, I suppose myself in a better position for impartiality. I therefore take it upon me to rejudge my past judgments. But can I be quite certain that the establishment of monarchical despotism in France, and the horrible effects of tyranny and imposture around me in this country, may not have driven my understanding once more to a point a little on the democratic side of the centre? I own I rather suspect myself of this; and though I labour to correct the deviation, and am convinced that it is much less than ever it was before, yet I am so sensible of the difficulty of discerning the middle point in politics, and of the still greater difficulty of resting near it, in the midst of so many disturbing powers, that I cannot but feel some distrust of my present judgment, and some disposition not to refuse to my own past errors that toleration, which I never withheld from those of other men. I am the more inclined to suppose that I may, without injustice, exercise this toleration towards myself, be-

cause I am confident that I never fell into any slavish principles—any doctrines adverse to the free exercise of reason, to the liberty and the improvement of mankind. Such doctrines, I admit, lower even the moral dignity of the mind which holds them.

"If I committed any fault which approaches to immorality, I think it was towards Mr. Godwin. I condemn myself for contributing to any clamour against philosophical speculations; and I allow that, both from his talents and character, he was entitled to be treated with respect. Better men than I am, have still more wronged their antagonists in controversy, on subjects and at times in which they might easily have been dispassionate, and without the temptation and excuse of popular harangues. But I do not seek shelter from their example. I acknowledge my fault; and if I had not been withheld by blind usage, from listening to the voice of my own reason, I should long ago have made the acknowledgment to Mr. Godwin, from whom I have no wish that it should now be concealed.

"In the mean time, I had no reason to complain of the manner in which I was treated by all those, for whose opinion I had any value. The character of openness and disinterestedness, which I thought had been acknowledged by all who thought me important enough to be the subject of any opinion, did, at that time, seem to protect me from harsh imputations. A slight rumour or two, soon dispelled—a buzz among some very obscure partisans;—the attacks of the more extravagant republicans, and of the small sect of Godwinians, were all the petty inconveniences which I experienced. I was in this manner lulled into a more entire confidence, and flattered into a notion that I needed no policy to guard me against the suspicion of dispositions, which I was perfectly conscious had no place in my breast. Being without malice, I thought myself without enemies. I never supposed my conduct to be either important or ambiguous enough to require dexterity in its management; and I did not think that the arts of this sort of equivocal prudence would have been a good proof of probity. I was not then so simple as not to be perfectly aware, that with a little adroitness it is very easy to give a superficial colour of consistency to the grossest inconsistencies; but I really thought myself so perfectly safe, that I might abandon myself, without scruple, to the unthinking and incautious frankness which had been my usual habit. And, indeed, if I had thought otherwise, I am not sure whether I should have succeeded in a scheme for which my nature was not adapted. I did not then foresee that this very frankness might raise up as many enemies as malice itself, especially if an opportunity of attack were well chosen by a dexterous enemy, or, what was worse, a credulous, capricious, or wrongheaded friend. And I certainly did not think that my little reputation, and still more trifling preferment, could have excited jealousy enough to be an auxiliary worth naming in such an attack.

"After having disburdened my mind in my lectures, two or three years passed in which literature, professional pursuits, and political questions, then first arising, unconnected with the revolutionary controversies, began to divert my attention from these painful subjects of reflection."

#### CHAPTER IV.

Marriage—Visits Cresselly—Avocations—Letter from Mr. Montagu to the editor—Literary occupations—Visit to Scotland—Extract from Mr. Moore's journal—Visit to Paris—Trial of Peltier—Appointment as Recorder of Bombay—From Mr. Horner—Mr. Hall—Embarks at Ryde.

Mr. Mackintosh had now been, for the second time, married (April 10th, 1798.) The object of his present choice was Catherine, the second daughter of John Allen, Esq., of Cresselly, in the county of Penbroke, who, like his own father, had, in early life, served in Germany during some campaigns of the "seven years' war." To her warm affection, displayed first in the care of his three orphan daughters, and afterwards as the companion of a long life, and the mother of a rising family, he owed, for many years that "happiness, for which," in his own words, "nothing beyond the threshold can offer any equivalent." During the few years which immediately followed, his life passed on—happily, as would appear from an observation which once fell from him, that "they were perhaps the most agreeable of his life"—in the uniform exercise of his profession, and in the enjoyment of the refined and



and intellectual society in which he so much delighted. As an agreeable rallying point, in addition to the ordinary meetings of this social circle, a dinner-club (christened the "King of Clubs" by Mr. Robert Smith) was founded at a party at his house, consisting of himself and the following five gentlemen, all of whom have since been in Parliament, and all of whom still survive:—Mr. Rogers, Mr. Sharp, Mr. Robert Smith, Mr. Scarlett, and Mr. John Allen. To these original members were afterwards added, the names of many of the most distinguished men of the time;\* and it was with parental pride and satisfaction that he received intelligence, some time after, of their "being compelled to exclude strangers, and to limit their numbers; so that in what way 'The King of Clubs' eats, by what secret rites and institutions it is conducted, must be matter of conjecture to the ingenious antiquary, but can never be regularly transmitted to posterity by the faithful historian.†

"In the spring of 1800," writes one of the new relatives his marriage had given him, "I was a good deal at M.'s in Serle Street. I recollect one day, which, if it had happened when I was better able to judge of the loss we suffered, would have vexed me much. This was when Robert Hall and the Abbé Delille both dined in Serle Street. The Abbé repeated his verses all the time I was present, and I did not hear Mr. Hall even speak. M. put in a few words of approbation, now and then, and our day was marred; but the Abbé was gratified, and M. was pleased, for that reason.

"I heard M. at this time deliver one of his lectures at Lincoln's Inn. I did not find the subject dry, for he had a great talent for presenting truths of universal interest, and I felt sorry when the lecture closed. What makes me notice this, is the difference that strikes me in the superior ease and fluency of his delivery then, to what it was when I heard him afterwards in Parliament. This might partly have been owing to the nature of a lecture being different from a speech, as well as the disposition of the minds of the hearers; but with allowance for these two causes, I think the great change was, that the hope and the confidence of M.'s nature had been by the latter period, roughly checked.

"He passed the autumn of the same year with us at Cresselly. I shall never forget that time; he delighted every one who saw him by the readiness and pleasantness of his conversation. His good spirits prevented the constraint and awe that superior understandings so often excite. His mornings were occupied in reading with us (E—— and myself) French, being our companion in our rides and walks; and I can now feel over again the solitude that he left with us, and the desolate look of the house the morning he departed to return to town."

The reputation which his lectures conferred, was incidentally of much use to his general professional advancement. It more particularly made his talents be often called for in cases, which occurred in committees of the House of Commons, regarding constitutional law and contested elections, and in those before the privy council, arising out of the confused relations of the belligerent and neutral powers at that time.

One of the most elaborate of the latter class of arguments, was in the case of the "Maria," which, under the convoy of a ship of war of her own country, (Sweden,) had resisted search of the British flag. Being one of general principle, it afforded a subject well adapted for the indulgence of the peculiar line of reasoning which seemed most natural to his mind. Mr. Pitt attended the hearing as one of the Lord Commissioners.

Nor was he less successful in the more ordinary channels of business. On the Norfolk circuit, to which he had now become attached, he found himself, though still but a very young member, in possession of a considerable share of the little business it supplies. One or two notices of trials in which he was engaged, as given in his own unreserved words to his wife, will be excused.

"Thetford, March 18th, 1801.

"You must now allow me to make a Pindaric transition from ——— to my briefs. I believe I succeeded yesterday in a cause of great expectation. Almost the whole county of

\* Amongst others, Lords Lansdowne, Holland, Brougham, Cowper, King, and Selkirk; Messrs. Porson, Romilly, Payne Knight, Horner, Bryan Edwards, Sydney Smith, Dumont, Jeffrey, Smithson, Tennant, Whishaw, Alexander Baring, Luttrell, Blake, Hamlam, Ricardo, Hopper. Mr. Windham was to be ballotted for on the Saturday succeeding his lamented death.

† It passed, by a sudden dissolution, into the province of one or other of these functionaries, in the year 1824.

Norfolk were assembled to hear it. The parties were both gentlemen of considerable station; and the singularity of a clergyman indicted for sending a challenge to an officer increased the interest. The cause of the quarrel was scurrilous language, used by the officer against my client's father. I spoke for an hour and three quarters with great volubility and vehemence; and I introduced, I am afraid, a common place on filial piety. There were several parts of the speech, which my own taste did not approve; but very few, I think, which my audience did not more than approve. My client made the warmest acknowledgments, and told me that half the court were drowned in tears. *This, I suspect, was rather rhetorical.* What is more material is, that ———, the chief attorney of this great county, is fool enough to think me a better speaker than Erskine. I wish the folly were universal. Another attorney came to me in the evening with two briefs in the Criminal Court, and told me of his prodigious admiration. He said, 'You are quite a new sort of man amongst us. We had very sound men, but no man of great eloquence, like you.' \* \* \* I have had a long walk with Wilson, who was counsel against me yesterday, and who made a cold and dry, but very sensible reply, to my declamation. He told me my speech must produce a great effect, as it would certainly be the principal topic of conversation in the county for some time; that it was, in his own opinion, such a speech as very few men in the kingdom could have made; and that my success was now absolutely certain.—This, from so guarded a man, is a great deal."

Another of these alludes to a cause, which may be mentioned, involving, as it did, circumstances of a very deep interest. This was in the case, tried at the Bury summer assizes of the year 1802, of the Rev. Morgan James against the Rev. William Finley, for libel. The plaintiff and defendant were the curate and incumbent of the parish of St. Peters and St. Gregory, Sudbury. Mr. Mackintosh was concerned for the defendant, who had written letters, and, as the result showed, properly, cautioning different parties against the plaintiff, as a man of notorious profligacy. The trial derived its peculiar interest from the presence in court of a young lady, who, notwithstanding the opprobrium under which he laboured, was desirous of fulfilling a contract of marriage with the plaintiff. The part of Mr. Mackintosh's speech, in which he expatiated upon the degradation of moral character and of modesty worked by his alleged artifices, as evidenced in her consenting to be present, is reported to have been very pathetic. Though it has shared the common fate of efforts of forensic eloquence, in being unrecorded, it is still fresh in the recollection of Mr. Montagu.

"Bury.

"I was in court till four o'clock in the morning, engaged in the cause of the Sudbury parson, which turned out the most interesting that I ever witnessed in a court of justice. I spoke from two till three for the defendant; and, I believe, I may venture to say, with more effect and applause, than I have done on any other occasion. Montagu, who was with me in the cause, says it was one of the finest speeches he ever heard; and even the cautious accuracy of Wilson did not prevent him from saying, that it was 'most powerful and eloquent.' So you see,

"Congreve loved, and Swift endured my lays."

Pepper Arden,\* who tried the cause, paid me the highest compliments. I hear from all quarters this morning, that it is the general opinion, there never was such a speech spoken in Bury. What crowned the business was success. The cause was so very interesting, that, if I had either nerves or time, I should write you an account of it," &c. &c.

"Bedford, July 16, 1801.

"We stopped at the village—Weston, where he (Cowper) lived twenty years. We went into the room where the "Task" was written, which is now a village school. We rambled round the village, and at last found out the hair-dresser, whom he had employed for many years, who told us some most affecting anecdotes of the most amiable and unhappy of men. We saw his handwriting in a copy of his poems, which he presented to this hairdresser. I hope you will believe me, when I say I could not look at the writing without tears. So pure in his life!—so meek!—so tender!—so pious!—he surely never had his rival in virtue and misfortune. He had few superiors in genius. I think better of myself for having felt

\* Lord Alvanley.

so much in such a scene, and I hope I shall be the better all my life for the feeling."

The following letter, with which the Editor has been favoured by Mr. Montagu, contains that gentleman's pleasurable recollections of these visits, as well as other passages of much value, in illustrating the warmth and sweetness of his early friend's feelings:—

"MY DEAR MACKINTOSH,—It is not possible for me to do any justice to my grateful recollection of your father, without saying a few, and (aware of Hume's admonition) only a few words about myself.

"The first time I ever saw your father, was when he was counsel, upon a trial at the Old Bailey, for a prisoner\* who was tried for high treason, in having attempted to shoot the king at the theatre. When the trial was over, I ventured to introduce myself, but there was a coldness in his manner, which I then misunderstood. It repelled me, and I did not persevere. I afterwards fortunately learnt that he was to be at the house† of Mr. John Wedgwood, with whom I was well acquainted. I met him there, and I spoke of my favourite philosophy without any reserve. He opposed me with great acuteness and vigour, and a parental feeling for a young man likely, at his entrance into life, to be so misled; he attacked the principle without measure and without mercy, but with a delicacy to me, which endeared the reproof, and a wisdom which ended in a total decomposition of my errors; when he had so far succeeded as to be conscious of the delight which I experienced from his lessons, I well remember that he frequently, in playfulness, used to say, 'Shall we bait the philosopher this evening, or shall we amuse ourselves with less agreeable occupation?' I remained a week or two under the roof of this virtuous family, many of whom are now alive, and will, I dare say, recollect the wholesome chastisement which I received. To this interview, and his parental conduct, I ascribe many of the blessings of my life. I have always gratefully acknowledged this kindness, and it is a satisfaction to me to feel that to the moment of his death, and beyond it (for the grave has no victory over our best sympathies,) I looked up to him as a son loves to respect his parent. The time arrived when I was to return to London. Your father was ill—he desired to see me. I sat down by his bed-side—he took me by the hand and said, 'My dear Montagu, you are a young man just entering into life; let me advise you not to act till you have gained information from the works which abound with disquisitions upon the opinions by which, forgive me for saying, you have been misled: let me advise you to look into Hooker, Bishop Taylor, and Lord Bacon, but do not rely upon reading only;—make your own impartial and careful observations upon men as they exist, not in your imagination, but in reality. You will act with greater vigour, if, from the result of your inquiries, you find you are right; if you are in error you will discover it.' He pressed my hand earnestly, and said, 'Remember,' and 'God bless you.' I cannot, at this distant period, recollect his kindness but with great emotion.

"It was not thrown away. Upon the morning after my arrival in London, at day-break, I opened the 'Advancement of Learning,' and never rose till seven in the evening, when I had finished it. I saw in a moment that if Bacon and Mackintosh were right, I was wrong. The modern philosophers say man is benevolent and wise; each labouring to promote the happiness of the other. How different is this from the doctrine of Bacon, teeming, as it does in every line, with benevolence. Again and again did I read and ruminate upon this splendid passage,—'In Orpheus's theatre all beasts and birds assembled, and forgetting their several appetites, some of prey, some of game, some of quarrel, stood all sociably together, listening to the airs and accords of the harp, the sound whereof no sooner ceased, or was drowned by some louder noise, but every beast returned to his own nature; wherein is aptly described the nature and condition of men, who are full of savage and unreclaimed desires of profit—of lust—of revenge; which, as long as they give ear to precepts, to laws, to religion, sweetly touched with eloquence, and persuasion of books, of sermons, of harangues, so long is society and peace maintained; but if these instruments be silent, or sedition and tumult make them not audible, all things dissolve into anarchy and confusion.'

"About this period an event occurred which, following and illustrating the instructions of your father, at once opened my eyes. A friend of mine, Mr. Felix Vaughan, a barrister, requested me to obtain an interview with a prisoner, who was

to be tried next day, and would probably be convicted of a capital offence, of which he had good reason to think he was innocent.

"I immediately proceeded to Newgate. It was after dusk in the evening. The door-keeper refused to admit me. I persisted, and obtained admission. I was left with the felons, who instantly surrounded me, and importuned me for money. 'I came for a few moments' conversation,' I said, 'with your fellow-prisoner, who will be tried to-morrow, and whose life depends upon my knowing one fact, which he alone can communicate.' 'Damn you, you scoundrel, you will be hanged yourself in a week,' was the answer I received. Desirous to insure some protection, I addressed one of the prisoners, who appeared less ferocious than his companions, and in the mildest tone I asked him, 'Why he was confined?' Putting his hands to his sides, with a malignant smile, he replied, 'I am here for murder.' I began to be very sceptical upon the soundness of the modern philosophy.

"In the University Library at Cambridge, I soon after this discovered, in Bishop Taylor's Essay on Friendship, the beautiful and luminous exposition of the whole of these errors. I immediately communicated my discovery to your father. He had, I rather think, never before seen the Essay. In after life we again and again conversed upon it. The modern philosophy, I need not add, I had, in the mean time, finally renounced.

"I have always thought—but how far I was right in this surmise, I know not—that the consciousness of the good, which had resulted from the 'lectures' to me, was the cause, the seed, of the valuable lectures to the public, delivered afterwards by him in Lincoln's-Inn Hall. The obligation of society for his anxiety to oppose the erroneous opinions, which then prevailed, never will be forgotten. He invited me to attend them; and I can remember at this moment the delight, which they gave to all his many pupils.

"From that time I attached myself as a son to your father; he admitted me to his intimacy, and enjoyed, I suspect, parental pleasure, in seeing that he had reclaimed from error a child, I had almost said, a favourite child.

"Having observed that on the Norfolk circuit there was a dearth of leading counsel, I intimated to your father, that if he would quit the home circuit, where, although he might be counted in the day of battle, it might be many years before he shared in the division of the spoil, he could instantly command the small portion of business on the Norfolk circuit; he followed my advice. Never was anything more fortunate, both for profit to him and pleasure to me. We commonly travelled together. What information did he communicate! what instruction did he give! what happy, happy hours did I pass for a fortnight, with my dear fellow-traveller, twice every year! I saw him, as in travelling we do see each other, in all moods. How delightful was he in each and in all! With what sweet recollections do I think of his cheerfulness, and how gratefully remember his instruction!

"In our first journey a circumstance occurred, which was at the time a source of some annoyance to your father, but of great joy to me. When we changed horses at Edgeware, on our way to Buckingham, the first assize town, we did not observe that the postilion had mistaken the road, and driven us to St. Albans. 'Why this,' I exclaimed, 'is the place where Lord Bacon is buried! To his grave I must go;—and, notwithstanding your father's remonstrances, to his tomb I went, which I reluctantly quitted, regardless of the admonition, 'that we should lose all the briefs.' At Buckingham, however, we in due time arrived, where my briefs—for I had been some time on the circuit—were ready for me. Your father was at this time, and only at this time, a looker-on.

"Having attended diligently at the Old Bailey, I was generally employed at Buckingham, as counsel in criminal cases; and I happened once to be retained there against a prisoner, who was convicted and executed for horse-stealing.

"We rose early, I remember, in our journey to Bedford, the next assize town, that we might visit Olney, the village where Cowper had passed so many of his sad years. Our conversation naturally turned upon the fate of the prisoner, who had been left for execution. My opinions upon the punishment of death were very unsettled; how humanely did your father explain to me the whole doctrine of punishment! 'Observe,' he said, 'the different objects of horror in different countries, and, indeed, amongst different persons in the same country. The Mahometans recoil from alcohol; the Jew from swine's flesh; the women prefer death, as you may see beautifully stated in the noble conduct of the mother, in the Book of Maccabees, to submission to the supposed abomina-

\* Robert Thomas Crossfield, tried 11th and 12th May, 1796.

† Cote House, near Bristol.